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LINCOLN AND LIQUOR

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THE name of Abraham Lincoln has become a synonym for conservative, farsighted statesmanship, keen sagacity in practical politics, and rugged personal integrity. Vital problems of government which deeply agitate the public mind, especially if moral issues are thought to be involved, hardly ever fail to evoke the query, 'What would Lincoln do?' In recent months this question has frequently been asked as the various states have voted on the repeal of the Eighteenth Amendment. Members of the House of Representatives discussed it pointedly during the debate on the beer bill at the Special Session of Congress.

With federal prohibition eliminated, power to regulate the liquor traffic is again vested in the several states. Wets and dries are already recruiting their ranks for bitter legislative battles, and both sides, mindful of the magic of his name, claim Lincoln.

Would he favor state-wide prohibition, or would he endorse the view of those who contend that temperance is a personal matter which cannot be en-

forced by legislation? Was Lincoln a total abstainer, a prohibitionist, and a lecturer against the evils of strong drink, or was he a user of liquor, a saloon keeper in his early manhood, and a foe of reform who denounced prohibition as 'a species of intemperance within itself'?

Recent research among old newspaper files, musty court records, archives of the Illinois Legislature almost a century old, and the priceless though little-known Herndon-Lamon manuscripts, clarifies for the first time this highly controversial subject, and sheds new light upon Lincoln's personal habits, his attitude toward the liquor problem of his own day, and the environment and association which doubtless influenced his views and actions.

I

The Kentucky of Abraham Lincoln's childhood was a brawling, whiskey-drinking, horse-racing, card-playing region that amazed early travelers to the Western country. 'They are nearly

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all natives of Virginia,' observed the Frenchman, M. Michaux. 'With them a passion for gaming and spirituous liquors is carried to excess, which frequently terminates in quarrels degrading to human nature. If a traveler happens to pass by, his horse is appreciated, if he stops he is presented with a glass of whiskey.' The Englishman, Timothy Flint, noted in his journal: 'Fights are characterized by the most savage ferocity. Goughing, or putting out the antagonist's eyes by thrusting the thumbs in the sockets, is a part of the *modus operandi*. Kicking and biting are also ordinary means used in combat. I have seen several fingers that have been mutilated, also several noses and ears which have been bitten off by this canine mode of fighting.' And Flint's fellow countryman, F. Cumming, wrote back to London: 'They fight for the most trifling provocations, or even sometimes without any, but merely to try each others prowess, which they are fond of vaunting of.'

Lincoln's father, easy-going, lethargic Thomas, was not a teetotaler; occasionally he worked at a stillhouse that adjoined his farm, but he used liquor very moderately, and, for his day, was counted a temperate man. The time-stained store ledgers of Bleakley and Montgomery at Elizabethtown, Kentucky, contain occasional items such as 'Thomas Lincoln — one pint of whiskey — 21c,' but they are few and far between when compared to similar entries for other customers.

So much cannot be said for the uncle of Abraham's father, who was also named Thomas. This kinsman, frequently mentioned by Abraham in his correspondence of later years, owned a flourishing stillhouse on South Elkhorn Creek up in the Bluegrass section near Lexington. In 1810 his wife, Elizabeth, sued him for the recovery of certain property under a separation agreement,

which recited 'that the said Elizabeth hath come to a final determination to reside with her husband no longer.' Her bill of complaint alleged that 'the said Thomas hath been very abusive to his said wife, & has twice kicked her with his feet & once thrown a chair at her & gives her very repeatedly the most abusive language.'

The response that Thomas filed is in contrite but somewhat guarded terms. It alleges that 'the said Lincoln with truth can say that whatever of his conduct towards her that may have savoured of either injustice or cruelty, has proceeded either from a deranged mind or casual intemperance & intoxication, and while he with the deepest remorse laments & acknowledges these errors of his own life, it has been the misfortune of his wife to have her errors also.' In further defense, he states that on one occasion his wife 'actually approached to strike him with a chair & was about to strike him, when he repeled the blow by striking her.'

When the case came to trial on December 13, 1810, one of Mrs. Lincoln's witnesses, Peter Warfield, admitted that she was 'in the habit of frequent intoxication' and that he had 'frequently seen her in that state,' but expressed the opinion that it was 'generally believed in the neighborhood that Mrs. Lincoln's intemperance proceeded from the bad conduct of her husband.'

Evidently the infuriated Thomas, after adjournment of court, laid violent hands upon the truthful Peter, because Warfield next morning filed a suit against Lincoln for assault and battery, stating that on the previous day 'Thomas Lincoln did with feet and fists commit an assault upon the said plaintiff & him the said Pltff. then & there did beat, wound & evilly treat so that his life was despaired of greatly.'

In after years, when Abraham Lin-

coln lounged about the courthouse at Lexington on visits to his wife's home town and, as he wrote Jesse Lincoln, 'heard the older people speak of Uncle Thomas and his family,' and perhaps read the dust-laden records in the clerk's office, it must have been apparent to him that mutual indulgence to excess in the mellow juice of Kentucky corn had been a vital factor in the marital unhappiness of Thomas and Elizabeth Lincoln.

Abraham's Uncle Mordecai, his father's older brother, whom he says 'he often saw,' was a heavy drinker, and so was his son, 'young Mord.' The elder Mordecai moved to Hancock County, Illinois, and on a bleak December day in 1830, the winter of 'the deep snow,' Uncle Mord dismounted from his horse, lay down in a snowdrift to sleep off his liquor, and never awoke.

Abraham Lincoln had no recollection of his birthplace, the rude cabin by the Sinking Spring on Nolin Creek. When he was two years old his father moved across Muldraugh's Hill to a fertile little farm in the bottom lands of Knob Creek. Here the closest neighbor of the Lincolns was Caleb Hazel, Abraham's second school-teacher, who kept an 'ordinary,' and on one occasion was indicted in the Hardin Circuit Court for 'retailing spirituous liquors by the small without a license.' Peter Atherton, the Knob Creek ferryman, sold whiskey also, and shortly after the Lincolns moved to that vicinity was indicted for the same offense. Every mill site, crossroads, and other public place had its 'ordinary' or 'groggery' where peach brandy, applejack, and corn whiskey could be had at low cost.

Liquor drinking was by no means uncommon among the clergy. William Downs, pastor of the Little Mount Separate Baptist Church where the Lincolns worshiped, probably the first preacher Abraham ever heard, who

baptized Thomas Lincoln in Knob Creek, was addicted to the use of liquor and at one time was summoned before the congregation to answer a charge of being intoxicated. David Elkin, another pastor of the same church, who, according to tradition, preached the funeral of Lincoln's mother, is said to have had his reputation 'sullied in later years from too free use of strong drink.'

So that Abraham Lincoln during his childhood, whether he rode to mill or played about the ferry or went to school or attended church, was brought into intimate contact with liquor, and with those who drank it regularly and, frequently, to excess.

Moreover, corn whiskey was one of the chief mediums of exchange. Even at Lexington, the 'Athens of the West,' church subscriptions were acceptable 'in good merchantable whiskey.' And it is not surprising that, when Thomas Lincoln left Kentucky to stake out a claim in the wilderness of Indiana, the rude raft that he launched in the swift, shallow waters of Rolling Fork carried 400 gallons of distilled spirits.

II

Social life in Southern Indiana at the time the Lincolns moved into what Dennis Hanks, Lincoln's cousin and boyhood companion, called 'that darn little half-faced camp' was much the same as on Knob Creek in Kentucky. Amusements were rough and boisterous, alcoholic beverages potent and plentiful. The most popular form of entertainment was the 'frolic.' A traveler wrote: 'They seldom do anything without having one. Thus they have husking, reaping, log-rolling frolics, etc. Among the females they have picking, sewing and quilting frolics.' And on these festive occasions the men usually took their whiskey straight,

while the women sweetened it to a toddy, or drank it in the form of stiff egg-nogs.

Even at religious services liquor seems to have had a proper place. Before the log church on Pigeon Creek was built, the little congregation met the preacher at a neighbor's cabin on Sunday morning. Here there was always a bottle of whiskey, pitcher of water, sugar and glasses, and a basket of apples or turnips, and sometimes a cake or batch of fried apple pies. When the refreshments had been consumed, the shepherd of the flock took the floor, threw off his coat, opened his shirt collar, read his text, and then 'preached and pounded' until the sweat produced by his exertions and the exhilarating effects of the toddy rolled down his flushed jowls in great drops. The services were then concluded by singing such hymns as, using the grotesque spelling of Dennis Hanks, 'O, when shall I see Jesus and Rain with him aBove,' and 'how teageous and tasteless the hours when Jesus No Longer I see.' But one of the worshipers remembered that at 'old Mr. Linkern's house' the Sunday morning 'treat' was only 'a plate of potatoes, washed and pared very nicely. They took off a potato and ate them like apples.'

Whiskey was sold at the crossroads, which later became Gentryville, and young Lincoln and his stepbrother, John D. Johnston, Dennis Hanks, and Nat Grigsby loafed a good deal around Gentry's store, where Abe was extremely fond of telling his droll stories. 'Sometimes we spent a little time at Grog,' Dennis Hanks naively recalled in 1865. And Nat Grigsby says, 'Abe drank his dram, as well as all others did, preachers and Christians included.' But he stresses the fact that 'Lincoln was a temperate drinker.'

William Wood, a Kentuckian and a thrifty early settler of Indiana, was a

near neighbor of the Lincolns, and the trusted friend and adviser of Abraham's youth and early manhood. According to Wood, 'Abe once drank, as all people did here at that time.' Wood was a temperance man and took a paper devoted to that cause which Lincoln frequently read. One day Abe wrote a 'piece on temperance' which made such an impression on Wood that he gave it to Aaron Farmer, a Baptist preacher, who had it printed in a temperance paper published in Ohio. No copy of this article has ever been discovered, but apparently young Lincoln's views were not opposed to the manufacture of whiskey. In the autumn of 1829 he wrote a contract for his stepbrother, who agreed to operate a distillery for John Dutton on what is now the Fredonia and Princeton Highway, four miles southwest of Huntingburg, Indiana; and here Lincoln worked among the mash tubs and copper worms the last winter that he spent in the Hoosier State.

Doubtless Lincoln's indulgence in alcoholic beverages during the Indiana years was extremely casual, but the tall, loose-jointed youth in coonskin cap and skimpy buckskin breeches found the evenings at Gentry's store none the less entertaining because of bibulous company, and when the hour grew late and the storekeeper finally dismissed the loungers by snuffing his candles, and the boys of the neighborhood started home, Abe's voice, if not the most melodious, was certainly one of the loudest in singing, as Dennis Hanks wrote, 'the turpen [turbaned] turk that Scorns the world and Struts aBout with his whiskers Curld for No other man But himself to See,' and 'Hail Collumbia Happy Land if you aint Drunk I will Be Damned.' Dennis further recalled that 'Abe youst to try to sing pore old Ned, But he Never could sing Much.'

III

At New Salem, a straggling village of some fifteen log cabins, perched high upon a wooded bluff of the Sangamon River in Illinois, Lincoln started out in life for himself in the summer of 1831. His first job was keeping a store for Denton Offutt, a brisk, boastful, venturesome trader, who had purchased a raftload of goods in St. Louis. As in all country stores, whiskey was as much a part of the stock as coffee, tea, and sugar. The best evidence that liquor was not sold by the drink at the Offutt establishment is that the convivial element did not congregate there, but gathered across the road at a 'grocery,' where the sportive Offutt himself spent much of his time.

The deviltry of the 'Clary Grove Boys' added a spice and zest to New Salem atmosphere that Gentryville never had. Wild, reckless, warm-hearted, impulsive, this swaggering set of picturesque young rowdies, descendants of Kentuckians who had brought their racing stock and gamecocks to the frontier country, were equally ready for fight or frolic. Devoted to rough sports involving feats of physical strength, hostile to strangers whose courage was yet untested, they stood aloof from Lincoln until one sunny afternoon under the giant oak near Offutt's store when the tall, sinewy clerk conquered their chief and champion wrestler, Jack Armstrong. Thereafter, as one of them declared, 'Abe was king. His word was law.' He umpired their cockfights, wrestling matches, and foot races, and his decisions were accepted without a murmur.

Strangely enough, Lincoln never drank any liquor at New Salem. The evidence is uncontradicted and conclusive on this point. 'I have seen him,' says R. B. Rutledge, 'frequently take a barrel of whiskey by the chimes and

lift it up to his face as if to drink out of the bunghole, but I never saw him taste or drink any kind of spirituous liquors.' And yet, though he neither drank nor brawled, Lincoln never rebuked his roistering companions, nor attempted to reform them in any way, except, perchance, by force of his personal example.

While he was stretched out reading on the counter, his head propped up with bolts of cotton and calico, a drunken fight would frequently start in the village street and Lincoln would run out, 'pitch in,' grab the aggressor by the 'nap of the neck and seat of the britches,' and toss him '10 or 12 feet easily.' This, an eyewitness dryly observes, usually 'ended the fuss,' and Lincoln calmly returned to his book. Although Dr. John Allen, the genial physician of New Salem, organized a Temperance Society, there is no evidence that Lincoln was a member, but tradition has it that years later he publicly acknowledged that Dr. Allen had greatly influenced his ideas on sobriety.

IV

In the spring of 1832, Denton Offutt failed in business and left the country. Out of a job, Lincoln announced himself as a candidate for the Legislature, and then enlisted as a militiaman in the Black Hawk War, which was over in ninety days. Defeated in the August election, he again embarked in the mercantile business, this time with a young drunkard named William F. Berry. Of course, the firm of Berry and Lincoln did not prosper. The junior partner spent most of his time with a book, and the senior partner with a bottle, until the following spring when Lincoln sold his interest to Berry.

It has hardly ever been denied that Berry and Lincoln sold liquor in quantity at their store. But a fierce con-

trovery has raged for years as to whether they sold liquor over the counter by the drink. Under the law of Illinois at that time, all persons who desired to sell spirituous liquors in quantities less than one quart, or beer, ale, or cider in quantities less than two gallons, were required to take out a tavern license, give a bond, and pay a fee 'not exceeding \$12.00.' Stores that sold liquor under such license were called 'groceries,' and the term 'grocery' was synonymous with 'saloon.' The records show that on March 6, 1833, the County Commissioner's Court of Sangamon County 'ordered that William F. Berry, in the name of Berry & Lincoln, have a license to keep a tavern in New Salem,' and fixed the prices to be charged for liquor as follows:—

French brandy, per $\frac{1}{2}$ pt.	25c
Peach brandy, per $\frac{1}{2}$ pt.	18 $\frac{3}{4}$
Apple brandy, per $\frac{1}{2}$ pt.	12
Holland gin, per $\frac{1}{2}$ pt.	18 $\frac{3}{4}$
Domestic gin, per $\frac{1}{2}$ pt.	12 $\frac{1}{2}$
Wine, per $\frac{1}{2}$ pt.	25
Rum, per $\frac{1}{2}$ pt.	18 $\frac{3}{4}$
Whiskey, per $\frac{1}{2}$ pt.	12 $\frac{1}{2}$

The bond is signed 'Abraham Lincoln, Wm. F. Berry,' with Lincoln's old friend, Squire Bowling Green, as surety. Apparently Berry subscribed his partner's name to the document, since an examination of the original shows that it is not in Lincoln's handwriting. There is no doubt that Berry operated a 'grocery' under this license after Lincoln retired from the firm and became the village postmaster on May 7, 1833, but the recollections of old residents of New Salem are not in accord as to whether the store became a 'grocery' before Lincoln sold his share in it.

When William H. Herndon, after Lincoln's death, began interviewing his late law partner's early friends and as-

sociates, he wrote to George Spears, who lived for many years near New Salem, about the kind of store Berry and Lincoln had kept. On November 3, 1866, Spears replied that he had made inquiries of the Potters, Armstrongs, and others, but that he could 'arrive at no dates. Old Mrs. Potter affirms that Lincoln did sell liquor in a grocery. I can't say whether he did or not. At that time, I had no idea of his ever being president, therefore I did not notice his course as close as I should if I had.'

Nine days later W. McNeely wrote Herndon: 'Father asks me to say that he never was in Lincoln's House, but then understood it to be a common grocery — whiskey shop — by the drink.'

But in the Herndon-Lamon manuscripts there is a definite statement to the contrary from James Davis: 'Lincoln & Berry broke. Berry afterwards kept a doggery — a whiskey saloon, as I do now or did. Am a Democrat — never agreed in politics with Abe — he was an honest man. Give the Devil his dues: He never sold whiskey by the dram in New Salem. I was in town every week for years — know, I think, all about it. I always drank my dram and drank at Berry's often, I ought to know.'

And Harvey Ross says, 'I am sure that no liquor was sold by the drink in their store while Mr. Lincoln had an interest in it. I had occasion to be in the store very often while I was carrying the mail.'

On August 21, 1858, Judge Douglas, opening the first joint debate at Ottawa, Illinois, referred to the many points of sympathy between him and Lincoln when they 'first got acquainted.' Said he: 'We were both comparatively boys and both struggling with poverty in a strange land. I was a school-teacher in the town of Winchester, and

he a flourishing *grocery keeper* in the town of New Salem.'

In reply to this sly thrust, which Douglas did not repeat during the campaign, Lincoln said: 'The judge is woefully at fault about his early friend Lincoln being a grocery keeper. I don't know as it would have been a great sin if I had been; but he is mistaken. Lincoln never kept a grocery anywhere in the world.'

'It is true,' he added drolly, 'that Lincoln did work the latter part of one winter in a little stillhouse, up at the head of a hollow.' And the big crowd roared with laughter.

In view of Lincoln's emphatic denial and the positive statements of James Davis and Harvey Ross, the weight of the evidence is decidedly against the contention that Lincoln sold liquor over the counter at New Salem. But, whether he did or not, the Berry and Lincoln partnership was his last business venture. Again his thoughts turned to politics.

V

The following year (1834) Lincoln was elected to the Legislature, and thereafter reelected for three consecutive terms. The session of 1838-1839 felt strongly the effect of the numerous temperance societies that were springing up all over the country. Petitions poured in expressing deep hostility to the 'liquor traffic.' Realizing that prohibition at this time was impossible, the foes of liquor confined their efforts to more strenuous regulatory laws. A high license fee, a heavy bond, an increase in the minimum quantity which could be sold without a license, and a provision which later came to be known as 'local option,' were the chief objectives.

On February 26, 1839, John J. Hardin, the temperance leader in the

House, presented such a bill, which failed of passage by a tie vote, 39 to 39, Lincoln voting against the measure. On the following day a similar bill, including a local-option provision which had been approved by the Senate, was received by the House and was passed, 43 to 27, and again Lincoln is recorded as voting in the negative.

The new liquor law was hailed as a victory for the temperance forces, but the liberal element was not ready to concede defeat. Hardly had the special session of 1839-1840 opened when a bill from the committee on the judiciary was introduced to repeal it. This bill reduced the maximum license fee from \$300 to \$150. A license was required only for the sale of liquor in quantities less than one quart instead of one gallon. The local-option clause was omitted. A representative from Vermilion County moved to amend the act by inserting a local-option provision, such as the existing law contained. This amendment was lost by a tie vote, 39 to 39, Lincoln voting against it. On January 13, 1840, when the bill came up for its third reading, a local-option amendment was again offered, but voted down, 42 to 36, Lincoln still voting in the negative. On January 27, the bill was passed by a vote of 52 to 29, Lincoln voting in favor of the measure. Although this act passed the House by a decisive vote, the temperance forces succeeded in blocking its passage in the Senate, and it failed to become a law.

When the 1840-1841 session convened, the temperance leaders immediately assumed the offensive in an effort further to restrict the sale of liquor. To that end, Attorney-General Kitchell promptly addressed the Legislature and recommended that 'all persons be prohibited from retailing intoxicating liquors in less quantity than one quart in any situation, or under any circumstances whatsoever.' This he said

would eliminate 'the great evil resulting from congregated masses at tippling shops.'

On December 19, 1840, as the House was considering a new bill which had been presented by a select committee, the *House Journal* recites that 'Mr. Murphy, of Cook, moved to strike out all after the enacting clause and insert as follows: "That after the passage of this act, no person shall be licensed to sell vinous or spirituous liquors in this State."' "

For a few moments the members seemed dazed at the unexpectedness with which the question of state-wide prohibition had been squarely thrust upon them. But Lincoln was equal to the emergency, and the *House Journal* records that 'Mr. Lincoln moved to lay the proposed amendment on the table,' which was hastily done by an overwhelming vote of 75 to 8.

For many years, and particularly after the adoption of the Eighteenth Amendment, the report was circulated at various times that Lincoln on this occasion, the very page of the *Journal* being frequently cited, made certain emphatic remarks against prohibition, including the declaration that 'prohibition will work great injury to the cause of temperance. It is a species of intemperance within itself, for it goes beyond the bounds of reason, in that it attempts to control a man's appetite by legislation.' But neither the *House Journal* nor the Springfield newspapers, which published abstracts of the debates and legislative proceedings for December 19, 1840, show that Lincoln made any remarks whatever in support of his motion, nor is the statement attributed to him to be found in any of the several editions of his writings and works.

On the contrary, there seems to be satisfactory evidence that this statement was fabricated for the purpose

of influencing Negro voters during a heated campaign to close the saloons in Atlanta, in the fall of 1887. Handbills were circulated among the colored population bearing a picture of Abraham Lincoln striking the shackles from a kneeling Negro, followed by the spurious statement against prohibition, and a stirring exhortation: 'Colored voters, he appeals to you to protect the liberty he has bestowed upon you. Will you go back on his advice! Look to your rights! Read and act! Vote for the sale!'

Still, it cannot be denied that Lincoln's record in the Illinois House of Representatives shows that he voted consistently with the liberal element on liquor legislation. He voted against a bill offered by the temperance forces when his vote would have passed the measure. He voted against a similar bill that had passed the Senate. He voted twice against local-option amendments, once when his vote would have carried the amendment. He voted for an act reducing the restrictions placed upon liquor sellers, and it would have become a law had not the temperance advocates defeated it in the Senate. And he voted in favor of his own motion which killed a state-wide prohibition amendment.

VI

In spite of Lincoln's apparent attitude toward the enforcement of temperance by law, it cannot be doubted that he firmly believed in temperance as a rule of personal deportment. In less than a year after he had voted against prohibition, Lincoln was an active member of the Springfield Chapter of the Washington Society, a temperance movement originated by six reformed drunkards at Baltimore that swept across the country with the fervor and zeal of a crusade. Article 2

of the Constitution adopted by the Springfield organization declared that the 'sole object' of the Society was 'to advance the cause of temperance, and especially direct its efforts to the redemption of our fellow men, who have been degraded by the use of intoxicating liquor.'

On February 22, 1842, following a spectacular parade of the Sangamo Guards, Lincoln delivered a Washington's Birthday address before the Society and an assemblage that crowded the Second Presbyterian Church. He began his speech by congratulating the friends of temperance upon the rapid strides which the cause had made in recent years. This great success was due to new advocates and a new 'system of tactics.' The old champions of the cause 'for the most part have been preachers, lawyers and hired agents.' The 'new class of champions,' to whom 'success is greatly, perhaps chiefly owing,' were themselves reformed drunkards. When 'a redeemed specimen of long-lost humanity' appeals to his former associates, 'there is a logic and an eloquence in it that few with human feelings can resist.' Nobody can doubt his sincerity or question his motives.

Lincoln expressed the opinion that former methods of reform had been injudicious. 'Too much denunciation against dram sellers and dram drinkers was indulged in,' said he. 'This I think was both impolitic and unjust. It was impolitic because it is not much in the nature of man to be driven to anything; still less to be driven about that which is exclusively his own business; and least of all where such driving is to be submitted to at the expense of pecuniary interest or burning appetite.'

'Persuasion, kind unassuming persuasion,' said Lincoln, is the best way to influence human conduct. Gain

a man's friendship first and then it is not difficult to appeal successfully to his reason. 'On the contrary,' he observed, 'assume to dictate to his judgment, or to command his action, or to mark him as one to be shunned and despised, and he will retreat within himself' — all efforts to reform him will be in vain. The Washingtonians knew that 'their old friends and companions' were not 'demons, nor even the worst of men.' Far from it. 'Generally they are kind, generous and charitable, even beyond the example of their more staid and sober neighbors.'

It was no longer an open question as to 'whether or not the world would be vastly benefited by a total and final banishment from it of all intoxicating drinks,' Lincoln declared. 'Three-fourths of mankind confess the affirmative with their tongues, and I believe all the rest acknowledge it in their hearts.' This being so, the speaker urged that everybody lend a hand in providing 'moral support and influence' for those who were struggling to resist the craving for drink. No person, however sober and reputable, should regard himself too good to join what some people called 'a reformed drunkard's society.'

'In my judgment,' said Lincoln, 'such of us as have never fallen victims have been spared more by the absence of appetite than from any mental or moral superiority over those who have.'

In conclusion he expressed the hope that the day would come 'when there should be neither a slave nor a drunkard on the earth,' and paid a brief, glowing tribute to Washington.

Such was Lincoln's first temperance address. The Washingtonians were satisfied with it and had it printed. The newspapers gave it favorable mention. But caustic comment came from other quarters. His criticism of

the old reformers and his exhortation to fellowship with the fallen rankled in the breasts of the bigots. 'I was at the door of the church as the people passed out,' says Herndon, 'and heard them discussing the speech. Many of them were open in the expression of their displeasure. "It is a shame," I heard one man say, "that he should be permitted to abuse us so in the house of the Lord."' "

VII

The Washington's Birthday address, although the only one now preserved, was not Lincoln's last temperance speech. The recently discovered minutes of the Board of Visitors of the Sangamon Temperance Union note that he spoke before the Springfield Juvenile Society in 1846 and made 'an excellent address at Langston's' in 1847, long after the hysteria of the Washingtonian movement had subsided.

However, Lincoln did not allow his personal views on the liquor question to interfere with the performance of professional duties. The court records show that with impartial zeal he appeared as counsel for saloon keepers and for temperance crusaders who destroyed the property of saloon keepers.

In 1846, at the December term of the McLean Circuit Court, 8 Illinois Reports 93, Lincoln represented Rowell Munsell, who kept bar in the Bloomington Hotel at Bloomington, Illinois, in a suit against Wm. H. Temple over the validity of his liquor license. In 1853 he defended Patrick Sullivan, who was convicted at the October term of the Macon Circuit Court for selling liquor without a license. The fine was only ten dollars, which was less than the costs of an appeal, but Lincoln took the case to the Supreme Court, 15 Illinois Reports 233, and strenuously contended

that the existing laws of the state did not prohibit the sale of intoxicants without a license. The wholesale grocers at Springfield sold large quantities of liquor to saloon keepers in central Illinois, and were vitally interested in the outcome of this litigation. Since the proceeding was obviously a test case, it is not improbable that Lincoln actually represented Jacob Bunn, who was one of his regular clients, a close personal friend, and a large wholesale grocer.

In May 1854, Lincoln represented nine women who were indicted for 'riot' in the Dewitt Circuit Court. According to the *Decatur Gazette*, a man named Tanner had opened a 'doggery' in the Town of Marion, 'much to the annoyance of the fair sex,' who called upon and requested him to 'desist his traffic of liquor.' The request being refused, the women, 'in a quiet and respectful manner, took the liquor and turned it out upon the ground.' At the trial more than a hundred ladies were present to witness Lincoln's defense 'of the fair daughters of Adam.' The jury having imposed the insignificant fine of two dollars, the editor of the *Gazette* felt that Lincoln and his clients had won a victory, and exclaimed, 'Huzzah for the Marion ladies!'

In this same month Pearl and Pearl filed a suit in the Tazewell Circuit Court against Alexander Graham and twenty other men for trespass, claiming that they had entered complainants' dwelling and destroyed certain liquors and other property. The response filed by the defendants is in Lincoln's handwriting, and alleges that 'the supposed dwelling house in said declaration mentioned was a common, disorderly and ill-governed house, within which, by the permission and procurement of the plaintiffs, drunkenness, idleness, quarreling, profane swearing, obscenity and

other offensive acts and noises were then and there practiced and encouraged to the great injury and annoyance of the peaceful citizens of the neighborhood.' A year later, May 4, 1855, the defendants were tried, and fifteen of them were acquitted, six were found guilty, and damages were assessed at fifty dollars.

In a similar case over in McLean County, Lincoln was not so successful. His clients, Ephraim Platt and A. B. Davidson, were fined six hundred dollars, according to the *Bloomington Pantagraph*, for 'destroying certain barrels of spiritual comfort' belonging to the firm of Reynolds and Fuller.

VIII

This saloon raiding and the heated trials that followed reflected in some degree the persistent agitation of the liquor question, which finally induced the Illinois Legislature, on February 10, 1855, to pass a state-wide prohibition bill, known as the 'Maine Liquor Law.' Under this enactment no liquor could be sold for beverage purposes in Illinois, but the measure, in order to become effective, had to be approved by the people at an election which was called for June 4, 1855. During this interval the fight for votes was extremely bitter and vituperative.

The prohibition contest came at an exceedingly inopportune time for Lincoln, who was doing his utmost to arouse public sentiment against the repeal of the Missouri Compromise. The antislavery men were sharply divided by the liquor question. Young Billy Herndon, Lincoln's law partner, then Mayor of Springfield, though intemperate himself, was ardently in favor of prohibition. So was Judge Logan, Lincoln's former law partner, who had been in active charge of the bill when it passed the House. So was

his intimate friend, Simeon Francis, editor of the *Illinois Journal*.

On the other hand, the ninety thousand Germans in the state were solidly against the Maine Law, and they were as much opposed to the extension of slavery as they were to prohibition. Their leaders, like Lieutenant Governor Gustave Koerner and Dr. Theodore Canisius, were staunch Lincoln men. Thus caught on the horns of a dilemma, Lincoln, with his usual astuteness, took no part in the prohibition contest that raged so fiercely about him. In spite of comparatively recent efforts to prove him not only an open champion of the Maine Law but actually the author of the Illinois measure, there is no authentic evidence that Lincoln either said or did anything whatever that might have offended any group or faction of the antislavery element who opposed prohibition. And we have the unequivocal testimony of Ward Hill Lamon, his law partner at Danville, of James Gourley, his next-door neighbor for many years, and of his son, Robert Lincoln, that he did not do so.

The poll books show that on June 4, when the Maine Law was rejected by the people, Lincoln cast his vote, but how he voted does not appear. If he voted for it, he again did not allow personal opinion to interfere with his law practice, because an order book of the Sangamon Circuit Court recites that on June 12, eight days after the election, the case of George Organ and Benjamin Kessler, jointly indicted for selling whiskey without a license, was called, and the firm of Lincoln and Herndon is noted on the docket as counsel for the defendants.

It is little wonder that the prohibition movement was defeated. As one looks back upon it, the large vote that it received is surprising. In 1855, the consumption of intoxicants in Illinois

had not greatly decreased in proportion to the population since pioneer days, in spite of the fact that the growing temperance sentiment had reduced individual excesses. The clergy had become outspoken against the use of liquor, but the members of the legal profession showed no such hostility. The Springfield lawyers usually prepared their briefs in the Supreme Court Library at the State House, and one of them relates that 'with but few exceptions they drank their toddy,' making frequent visits to a jug of good whiskey which Colonel Warren, the clerk of the court, 'usually hid from sight, but which was never so cleverly concealed that the wise ones could not find it.'

Out on the circuit, tipping shops and taprooms clustered about the court-houses, and when a court was established in Christian County the two buildings first erected were the court-house and a saloon.

IX

Yet Lincoln himself very rarely drank liquor. 'Not so much,' says his old friend Judge Joseph Gillespie, 'as it seemed to me, from principle, as from a want of appetite.' And John Hay, Lincoln's private secretary, reflects the same opinion in speaking of him after he became President. 'He drank little or no wine,' Hay declares; 'not that he remained always on principle a total abstainer, as he was during a part of his early life in the fervor of the Washingtonian reform, but he never cared for wine or liquors.'

'I am entitled to little credit for not drinking,' Lincoln told Herndon, 'because I hate the stuff; it is unpleasant and always leaves me flabby and undone.'

Ward Hill Lamon, whom Lincoln set down in his own handwriting as 'entirely reliable and trustworthy —

my particular friend,' on July 4, 1889, replied to a letter written him by Miss Kate Fields: 'You ask my recollection of Mr. Lincoln's views on the question of temperance and prohibition. I look upon him as one of the safest temperance men I ever knew. He was neither what might be called a "drinking man," a total abstainer, nor a prohibitionist.'

And Lamon left a statement which was found among his papers after his death that 'none of his nearest associates ever saw Mr. Lincoln voluntarily call for a drink,' but they had seen him 'take whiskey with a little sugar in it to avoid the appearance of discountenancing it to his friends. If he could have avoided it without giving offense he would have gladly done so.'

Lincoln Dubois, son of Jesse K. Dubois, one of Lincoln's closest political and personal friends, in his unpublished reminiscences, corroborates Lamon: 'He decidedly was not what would be called a drinking man, but made no fuss about it at all; took it when offered, but seldom drank it.' And Herndon wrote Jesse Weik that 'Lincoln did sometimes take a horn when he thought it would do him good.'

But the occasions on which Lincoln took 'whiskey with a little sugar in it' must have been very infrequent, because several of his associates agree with Judge Logan, who says, 'I never in my life saw Lincoln taste liquor.' Henry C. Whitney, who was on the circuit with Lincoln more than Logan, though not so much as Lamon, recalls an incident when he and Lincoln and several other lawyers drove out to the residence of Reason Hooten near Danville, where several varieties of homemade wine were passed around. 'A mere sip of each affected Lincoln,' relates Whitney, 'and he said comically, "Fellers, I am getting drunk!" That was the nearest approach to inebriety I ever saw him.'

Men with whom Lincoln came in contact were not always able to appreciate his failure to indulge in the habits that gave them pleasure, and he was fond of telling a story on himself which illustrated this fact. One morning in 1849, Lincoln left Randell's tavern in Springfield for Washington. The only other passenger in the stage-coach was a well-dressed, affable Kentuckian who was on his way home from Missouri. The two men immediately fell into conversation, and after a while the Kentuckian took a chew of tobacco and handed the plug to Lincoln, who politely said that he did not chew. Later on, as the clumsy vehicle jolted and swayed over the rough, dusty road and conversation lagged, the stranger pulled a leather case from his pocket and offered his companion a cigar. Lincoln thanked him, but said that he never smoked. Finally, as lunch time approached, the traveler produced a flask from his satchel. 'Well, my friend,' he remarked, 'seeing you don't smoke or chew, perhaps you will take a little of this French brandy. It's a prime article and a good appetizer besides.' But Lincoln again declined this highest and best demonstration of Kentucky hospitality. In the afternoon, at the junction, as the gentleman from the Bluegrass State was about to take another stage for Louisville, he shook hands cordially.

'See here,' he said smilingly, 'you are a clever but peculiar companion. I may never see you again and I do not want to offend you, but I want to say this: My experience has taught me that a man who has no vices has damned few virtues. Good day.'

X

The fact that Lincoln was an exceedingly temperate man made it difficult for his friends to understand his

fondness for the society of certain men whose habits were notoriously bad. Whitney complained that Lincoln would play billiards by the hour with George Lawrence, 'a worthless, drunken fellow who turned lawyer late in life.' Judge David Davis, who presided over the 8th Judicial Circuit, accounted for Lincoln's association with a few 'low and vulgar' men by the fact that 'he loved sharp, witty things, loved jokes, etc.,' and expressed the opinion that 'Lincoln used these men merely to whistle off sadness, gloom and unhappiness.' But Davis was sure that Lincoln 'hated drunkenness.'

Still, as Dubois says, he 'made no fuss' about drinking. 'I never heard him disclaim against the use of tobacco or other stimulants,' recalls Judge Gillespie. Certainly Lincoln's presence caused no restraint among the jolly circuit riders who regularly gathered after supper in Judge Davis's room at the best tavern in the town where court was being held. Indeed, he was the outstanding favorite of all that gay, versatile group. A bucket of beer stood on the hearth, a pitcher of whiskey on the table, and hour after hour would swiftly pass in song and story, while Judge Davis's fat sides shook as Lincoln related some humorous anecdote in his droll, inimitable way.

'Now, Hill, let's have some music,' someone would exclaim, and Lamon, with his rich barytone and Virginia accent, would sing 'The Blue-Tailed Fly,' or 'Cousin Sally Downard,' or some other ballad of equal interest but less propriety.

Nothing could better illustrate Lincoln's very marked disinclination to criticize the conduct of his associates than an incident which occurred between him and his law partner on his last day in Springfield. It was late afternoon. All day crowds had filled the lobby of the Chenery House, where

Lincoln, as President-elect, was receiving visitors. Herndon waited down the street in the frowzy old law office. Presently Lincoln came in. The lines of his rugged face were deep with care and fatigue. For a little while they discussed unfinished legal business and went hastily over the books of the firm. Then Lincoln threw himself down on the battered, rickety lounge, and for a few minutes lay with his face toward the ceiling without speaking. Suddenly he blurted out:—

‘Billy, there is one thing I have for some time wanted you to tell me, but I reckon I ought to apologize for my nerve and curiosity in asking it even now.’

‘What is it?’ asked Herndon.

‘I want you to tell me,’ said Lincoln, ‘how many times you have been drunk.’

Herndon, though somewhat abashed by the bluntness of this inquiry, told him as best he could; but when he had finished, Lincoln, instead of delivering the anticipated lecture, merely said that on several occasions efforts had been secretly made to have him drop the junior partner from the firm be-

cause of his intemperate habits, but that he had always declared his intention to stand by Herndon in spite of his shortcomings.

Then, as though anxious to change the subject, Lincoln began to talk of the early days of his practice, recalling the humorous features of various lawsuits on the circuit. Thus his reminiscences ran on until dusk crept through the grimy little windows and it was time to go home. As he gathered a bundle of books and papers under his arm and started out, he spoke of the old sign, ‘Lincoln & Herndon,’ which hung on rusty hinges over the door at the foot of the steps. ‘Let it hang there undisturbed,’ he said in a lowered voice. ‘Give our clients to understand that the election of a President makes no change in the firm of Lincoln & Herndon. If I live, I am coming back sometime, and then we will go on practising law as if nothing had happened.’

He lingered for a moment, as if to take a last look at the old quarters, then passed forever through the door into the hallway and down the narrow stairs.

THE ROOSEVELT EXPERIMENT

BY HAROLD J. LASKI

I

RUSSIA apart, no modern state has undertaken an experiment which even approaches in magnitude or significance the adventure upon which President Roosevelt has embarked. There have been attempts to regulate the hours and wages of particular persons in particular industries. There have been important schemes of social legislation, like the British system of unemployment insurance. War-time necessity has induced the limitation of profit for a special period, and certain vital industries have sometimes, either permanently or for a period, come under the direct ownership and control of a public authority. There has even, as in the Germany of the post-war epoch, been a partnership, though indirect, between industry and the state.

But President Roosevelt is the first statesman in a great capitalist society who has sought deliberately and systematically to use the power of the state to subordinate the primary assumptions of that society to certain vital social purposes. He is the first statesman deliberately to experiment on a wholesale scale with the limitation of the profit-making motive. He is the first statesman, again in a wholesale way, to attack not the secondary but the primary manifestations of the doctrine of *laissez faire*. He is the first statesman who, of his own volition, and without coercion, either direct or indirect, has placed in the hands of or-

ganized labor a weapon which, if it be used successfully, is bound to result in a vital readjustment of the relative bargaining power of Capital and Labor. He is also the first statesman who, the taxing power apart, has sought to use the political authority of the state to compel, over the whole area of economic effort, a significant readjustment of the national income.

No unbiased spectator of the adventure involved can withhold his admiration for the courage such an effort has implied. Success or failure, it bears upon its face the hallmarks of great leadership. Improvised in haste, devised under the grim pressure of crisis, imposed, as no doubt it has been imposed, in an atmosphere of panic and bewilderment, it stands out in remarkable, even significant, contrast to the economic policy of any other capitalist government in the world. Compared, for example, with the unimaginative activity of the British Government, — which rode to power on a wave of kindred enthusiasm, — it is an exhilarating spectacle. Great Britain has simply sought to lend the aid of government to the ancient technique of capitalist enterprise; it has had no sense that what is in question is the very foundations of that system. President Roosevelt has, in effect, challenged American capitalism to coöperate with him in transforming itself into a social experiment. And in doing so he has dis-

played, granted the conditions he confronts, a creative audacity, a sense of psychological essentials, an eye for the pivotal matters involved, which deserve well of the commonwealth he seeks to serve. Russia again apart, there has been no adventure of comparable range or intensity in modern times.

II

But it is one thing to plan boldly; it is another, and a very different thing, to plan successfully. Before we can judge the effort upon which Mr. Roosevelt is engaged, it is necessary to know what the implications of his adventure actually are, and the relation of these to the total social situation in which he finds himself involved. For it is dangerous to experiment with the foundations of a society unless the experiment be built upon doctrinal assumptions the conclusions of which follow with irresistible logic from the premises it is legitimate to use.

Mr. Roosevelt is not, as it were, merely in the position of an engineer who is erecting bulwarks against a temporary and unexpected flood. His experiment, no doubt, happens to coincide with the onset of economic disaster; but he is driven, by its profundity, not only to dissipate its effects, but also to lay the foundations of a new social order from which, so far as human prescience can avail, such disasters have been banished. What, therefore, is important in the estimate of his effort is not merely the objectives he has set before himself, but the spirit and temper of the setting those objectives encounter. He is attempting a revolution by consent; and it is the latter term in his equation that is fundamental to the formation of a judgment.

For the actual objectives themselves are not matters a reasonable observer can seriously dispute. The America he

took over in March of 1933 was in a highly dangerous condition. It was not merely that there were some fourteen millions of unemployed, largely dependent upon a casual charity which was breaking down. It was not merely that, among the employed themselves, short time was dangerously widespread. It was not merely, either, that wages had been reduced during the depression in a fashion rivaled only by the desperate experiments of Dr. Brüning in Germany. It was not merely, again, that the whole banking structure of the United States was cracking and that, with the largest gold reserve in the history of the world, the foundations of her currency system were completely insecure. Even more urgent were two other facts.

The American people, dazed by the width and intensity of the crisis, had lost confidence in the *bona fides* of the system under which they lived. Its principles seemed to them dubious, and they were prepared for a challenge to its values. The remedies, moreover, which the President had to apply needed application in an era of profound technological revolution, on the one hand, and insane economic nationalism on the other. At a time, that is, when the popular test of Mr. Roosevelt's policies would necessarily be his success in absorbing the unemployed into work, scientific discovery and organization had made possible increasing production with an ever-decreasing working force, while each nation-state, confronted as it was with kindred problems of its own, was seeking by tariffs and quotas, embargoes and currency restrictions, to impede the recovery of international trade.

He was, moreover, at work in an epoch of grave political crisis. The failure of disarmament, the menace of Japanese imperialism, the arrival of Herr Hitler in power, continuous dis-

turbance in South America, and a Southeastern Europe given over to bitter repression — all these made for an insecurity which endangered the psychological conditions of economic advance. He had to fight for the growth of American markets abroad in an atmosphere unfavorable to the very notion of commerce. He was battling for the confidence which precedes revival when the League of Nations was being struck blow after blow, and the prospect of Europe seemed more akin to that of the years immediately preceding the war than at any time since the Armistice of 1918. In Europe and the Far East, in fact, force and unreason dominated the minds of men. Traditional values were in the melting pot; and, as in all epochs where basic changes are under discussion, panic and doubt and even persecution prevented any calm estimation of the effort Mr. Roosevelt had undertaken.

III

Men have spoken easily of his radicalism. Yet, so far as his politics have revealed themselves, what will strike the observer is less their radicalism, currency apart, than the sober conservatism upon which they have been built.

The Securities Act has aroused passionate indignation. Yet the sober critic who analyzes its clauses with detachment will take a very different view. He will point out that it is built upon the solid experience, now extending over a generation, of British company law; that it meets the conditions first revealed by Mr. Justice Brandeis over twenty years ago; that there is no technique within its interstices not amply justified by the Senate revelations of corporation practice in recent years. The striking thing about the Securities Act is not its practically

unanimous passage. The striking thing is that the United States should have had to wait until 1933 before legislative sanction was given to the most elementary precautions required by the investor under modern conditions. No serious student of the Securities Act but will be tempted to conclude that it could only be opposed by men who have something to conceal; and if he looks through the pages of the testimony before the Senate he will amply understand the indignation of opponents. It is the prohibition of obvious malpractice which always awakens the loudest clamor from its exponents.

Nor can the National Recovery Act be held to involve any striking innovations. Stripped of its resounding terminology, it merely gives effect to ideas which have been the commonplace of economic discussion these thirty years. The abolition of child labor puts an end to what has been too long an indefensible stain upon American social conditions; it terminates a form of slavery for which no defense in principle is possible. The codes — none of which is radical in essence — merely give national status to the regulation of hours and wages which, even in America, have been the object of successful experiment ever since the famous Oregon Statute of 1903 and the Adamson Law of 1917; their substance has been consecrated piecemeal not merely by so eminently conservative a body as the Supreme Court, — by which it may be taken as proved that they represent the accepted mental climate of social well-being, — but by the preponderant opinion of economists all over the world. In principle, they are nothing more than the British system of trade boards against sweating in industry; and the wonder is that men can still be found to inspect their well-tried habits in a mood of panic.

More important, of course, are the clauses which open the door to trade-union recognition. Here one need not doubt that the prospect emerges of a wide invasion of traditional industrial practice. American trade-unionism has neither the stability nor the profundity of its British analogue. The persistence of that individualism which still lingers on from the habits of a frontier psychology has hardly domesticated it as a normal part of American life. Yet the foreigner who remembers the conditions in the coal fields of Illinois, or the steel mills of Pittsburgh, or who realizes the social gain in human welfare which has resulted from the work of Sidney Hillman in the garment trades, will have no difficulty in understanding why Mr. Justice Holmes could insist, in *Coppage v. Kansas*, that liberty of contract only begins where equality of bargaining power begins; his wonder, as with the Securities Act, will rather be that giant organization of American industry has not long ago resulted in an American trade-unionism more equal in intensity to the masses which require its protection. More than that; he will not find it easy to understand how industrialists like Mr. Ford can still delude themselves with the belief that rational economic relations can develop in a society like America if the individual contract is to be the basis upon which its structure is to be founded.

Nor is the situation different when one turns to other aspects of the field. A national policy of public works is not, it is true, one of those principles of economic policy upon which expert opinion is finally agreed; but it may be said without undue exaggeration that the consensus of expert opinion is definitely on the side of wise spending. In this aspect, the battle is transferred from the plane of principle to that of its wise application; and the subject matter of dispute then becomes less an

embarkation upon this policy than a question as to whether Mr. Ickes and his colleagues can discover undeniable objects of beneficent expenditure.

So, too, in the field of credits and relief to those staggering under the burden of mortgage. Of the first it may be briefly said that it differs only from well-proved experiments in the past by reason of the extent of the commitments undertaken; it will appear commonplace and uninteresting if America emerges successfully from the present crisis. And of the second it may be said with emphasis that a government which, in a period of rigorous deflation, failed to assist its primary producers with legislation intended to secure relief from the pressure of mortgages would have invited the onset of a revolutionary temper. Only the mystic can tell whether order is heaven's first law; but certainly the preservation of its elementary conditions is the obvious duty of a government which is concerned for the preservation of the peace.

Mr. Roosevelt's currency experiments stand upon a different footing. His strategy here has been too inconstant for any distant observer to discern with clarity an abiding purpose there. He seems to have been for and against stabilization. He seems to share the growing disposition to doubt the final validity of the gold standard. There have been moments when his effort seemed directed to a fluctuating foreign, and a stable domestic, level of prices. At one time he seemed the temporary advocate of Professor Irving Fisher's compensated dollar. And it may be said without unfairness that the President's explanations of his own course have served rather to darken counsel than to enlighten us. The influences about him in this realm have been so disparate in character and so temporary in authority that the critics

are entitled to complain that they have no clear view of where the President is going and that uncertainties in currency are a dangerous hindrance to the revival of trade.

It is obvious enough that Mr. Roosevelt is here feeling his way to a policy which has assumed no final shape in his mind; and it is equally obvious that until he knows what he does want there is no prospect of any serious revival in trade, and, granted the latest measures, some prospect at least that he may wreck the currencies still existing with some pretensions to stability. In this aspect, at least, Mr. Roosevelt is running a race against time, failure in which will quite certainly mean widespread economic disaster.

IV

So regarded, the purposes which underlie the Roosevelt experiment constitute a perfectly intelligible whole. They are not entirely born, and it is important to realize that they have not been entirely born, from the disasters of the last four years, though these, no doubt, have lent them their emotional intensity. They go back, as purposes, to the Progressive movement of the first years of this century; and, seen in proper perspective, they are simply a development of that revolt and of the Wilsonian legislation (notably of the Federal Reserve Act) which represents its earlier culmination. They represent a profound wave of half-articulate protest against the character of contemporary American capitalism. They represent the profound sense that what were proclaimed as its excrescences had in fact become parts of its essential nature. They express the realization that the centralization of financial power in Wall Street had become incompatible with the public well-being, especially when Wall Street had shown

itself so incapable of distinguishing between that well-being and its private interests as the Senate revelations had made obvious. They express the demand, first, that American industry and finance shall operate only under a code of behavior which makes public well-being a major factor in the policies they pursue, and, second, that the government of the United States shall, as the agent of the citizens, be powerful enough to enforce the observance of that code upon all to whom it applies.

The Roosevelt experiment, in a word, is a systematic effort to put capitalism into leading strings of principle. It is to be the servant, and not the master, of the American people. For any other relationship is held, on experience, to be incompatible with ordered social progress.

There is nothing revolutionary or even novel in all this; it is worth remembering that de Tocqueville, nearly a century ago, warned America how dangerous was its alternative. It is inevitable, sooner or later, in any society built upon universal suffrage that the people should use its political power to mitigate the consequences of unrestricted capitalism; and severe disaster, like that which has characterized the last four years, only stimulates that temper more intensely. For it cannot be too often insisted, as Mr. Keynes has so often emphasized, that capitalism, by the law of its psychological being, needs to be immensely more successful than any alternative economic arrangement if it is to retain the allegiance of a multitude which possesses political power. The disparities of its results are too irrational for any alternative attitude to be possible over any long space of time. And the changed temper was made the more inevitable by the crude optimism of its defenders in the era of Coolidge and Hoover. They had raised the expect-

tations of the multitude to such dizzy heights that their failure to satisfy them was bound to result in a scrutiny of foundations.

We must not forget that the election of 1932 was the expression of nothing so much as a demand for this scrutiny by angry and bewildered men who had entered the Promised Land only to discover that it was a desert. In dealing with their discontent, President Roosevelt has shown high qualities of enterprise and courage; but those who doubt the wisdom of his effort ought to remember that unless he had shown those qualities the patience of the multitude would have been brought to breaking point. He is not a revolutionist pursuing some private Utopia by the light of an inner wisdom. He is the logical expression of social forces and could hardly have acted otherwise if he wished to retain the characteristic contours of American life.

The remarkable thing about his innovations is not their size, but the immediacy of their relation to the traditional liberalism of America. It is the vigor with which they have been uttered, the coherence which has, as a problem in time, projected them upon a single plane, which have led men to signalize them as the herald of a new day. Yet, even if they wholly succeed, no radical would be tempted to regard them as anything more than a necessary historic phase in the slow evolution of American capitalism. They spring, at every turn, from the obvious experience of events.

V

What is likely to be their fate? In the first days of office Mr. Roosevelt had behind him a united opinion such as America appears hardly to have known. Opposition seemed less silent than dead. The activity at Washington

was so intense that men seemed clearly to feel that they had entered a new epoch of American history. The American people had come into its own. The unemployed were to be halved in numbers by the autumn. The price level was to be raised to that of 1926; the primary producer was to be safeguarded; the wage earner was to have a new standard of life under conditions more equitably related to the new economic possibilities. The verve and spirit of the adventure seemed, at the outset, powerful enough to breast all obstacles it might encounter.

Nor has the opposition, even nine months after the adventure was begun, ventured into the open. It has preferred to proceed by indirection rather than by frontal attack. It does not coöperate; it mutters its doubts; it hints at the hesitation of the 'sound' men before the possibilities of a cataclysm. Mr. Roosevelt is headed for inflation; he is pledging government credit dangerously; he is spending in a reckless fashion for which there is no justification. The Securities Act is a discouragement to the legitimate activities of the Stock Exchange. The National Recovery Act is a Bolshevik interference with the rights of property, an 'un-American' attack upon a tried and tested individualist system. Wall Street is confident that traditional America is being handed over to wild professors with no regard for the practical limits to government action. It suffers from an 'emotional paralysis' when it sees its accepted canons disregarded. It floats no new issues; it resents the attacks upon its leading men. Among the great figures of American business there has been something which can only be called a psychological sabotage. They are asked to enter a new world the principles of which seem to them a clear contradiction of their historic experience of

economic function. They cannot believe in the success of the adventure. They await, a little anxiously, its failure.

A 'sound' policy they would be prepared to support. Revival depends, they argue, on business men being assured of the ability to sell at a profit. Of this the conditions are well known. There must be drastic deflation; there must be reduced governmental expenditures so that lower taxation may encourage enterprise; wages must be cut to suit the new low level of prices; subsidies to industry, as with the tragic tenderness of Mr. Roosevelt for the farmer, must be abandoned; business must be left to deal with its employees in its own way; and there must be an assurance, as near absolute as may be, of a sound dollar. When these things come, the present uncertainties will disappear; men will recognize the familiar landmarks of approaching prosperity. Given their advent, Mr. Roosevelt may look to the business community for all the coöperation necessary to tide over the crisis.

It is familiar doctrine. It is the gospel of Coolidge and Hoover. It is also the gospel which produced the disaster out of which Mr. Roosevelt emerged as President. If his election meant anything at all, it was a repudiation of that gospel by the common people of America. Had he embraced it, with the terrible social losses its application involves, it is difficult to see how America could have passed through the last nine months without a major drift toward a revolutionary condition. He has retained the confidence of the people in the existing order because they really believed him when he said that they were to be given a 'new deal.' By that faith only was he able to preserve peace. Had he trodden the traditional path, he would have produced, by the costs

involved, a state of rebellion among innumerable citizens who normally ask nothing better than to remain enfolded in their private lives.

He has convinced these men of his good faith. But he has not convinced the business community. They doubt his principles; they resent profoundly the intense effort he has made to compel them to abdicate from an authority which has not hitherto been seriously challenged in American history. And it is just here, it may be argued, that the crux of the Roosevelt experiment lies. Business men and financiers will not seriously be won to Mr. Roosevelt's programme until its success is proved by the return of prosperity; and prosperity is unlikely to return unless he can win the support of the financiers and business men. This is the dilemma the administration confronts; and only as it is to be met can we measure the implications of the time.

VI

The situation, says Mr. Lippmann, who has an exceptional access to the mind of Wall Street, demands 'a loyal determination to attain the objects of the reforms, sincere resolution to maintain the new standards of financial practice.' But the object of the reforms is no less a thing than to destroy the unlimited power of American capitalism to shape the contours of American life. It is to end the unbridled individualism of Mr. Ford; it is to break in pieces the industrial feudalism of the barons of coal and steel. To 'maintain the new standards of financial practice' is to ask the banker and the broker not merely to remake habits which, by their present sabotage, they clearly regard as legitimate; it is also to ask them to subordinate themselves to new purposes which they seem to consider incompatible with

that profit-making motive which is the law of their being. What are the prospects of so formidable a demand?

Let us put this in another way. The men to whom Mr. Roosevelt is appealing have no serious doubts of the existing order. They made it and control it; they look upon their handiwork and declare it to be in general substance good. Mr. Roosevelt, in effect, asks them to abdicate from their control. He seeks to socialize the profit-making motive by making its operation subordinate to a body of ethical principles from which their practice has been wholly alien. They have no conviction that these principles are wise and good. They realize that their supremacy is threatened. They feel that it is challenged not merely by men of whose expertness they are unconvinced, but for ends which have never been tried. They deeply resent the speed with which they are called upon to adjust themselves to a new mental climate. They have not only the fear which comes from experience of an insecure world; they have also the indignation which accompanies any challenge which is, as explicitly as this, a denial of their title to supremacy. To be the servants of the government instead of its masters, to live by principle instead of making it, these seem to them something like a denial of the law of their being. And when all this is added to a general skepticism of all the ends Mr. Roosevelt is seeking to serve, not less than doubt of the means by which he is seeking to attain them, it is easy to understand why the 'loyal determination' of which Mr. Lippmann speaks is a far harder thing to accomplish than he seems to imagine.

How hard it is there is endless evidence to prove. It is not merely shown in individual acts of resistance like that of Mr. Ford, or in the grim conflicts which have been waged against

the miners who seek to take advantage of the code and assert their right to trade-unions. It is shown not merely when the mayor of a steel town can deny a cabinet minister the right of freedom of speech. It is shown not only in such episodes as Mr. Wiggin's pension; if the Bourbon monarchs learned nothing from their exile, Mr. Wiggin seemed to have learned nothing from the Senate investigation. It is shown, above all, in what a great financial journal terms the 'emotional paralysis' of Wall Street — perhaps the happiest euphemism for sabotage in the history of the language. For when the success or failure of Mr. Roosevelt's effort turns upon the reopening of the capital markets, those who refuse the risk of attempting their reopening are, in fact, securing the certainty of its failure. For if the market remains closed, Mr. Roosevelt has no alternative but inflation; and he is then confronted by two roads either of which leads inevitably to confusion and disaster.

To the outsider, therefore, it appears not unreasonable to argue that the absence of the 'loyal' coöperation which Mr. Lippmann so earnestly desires is not so very difficult to explain. Men who reject a new faith — for the 'New Deal' is a new faith — do not enter into communion with its votaries by persuasion. Historically, it has never been the habit of a class voluntarily to abdicate from power. That has always been accomplished, as in 1789 in France, or in 1917 in Russia, by violence; or, as in England in 1832, by the threat of violence the success of which was overwhelmingly probable.

The old industrial feudalism does not believe that its day is dead. It recognizes, a little sadly, the emotional success of the new religion; but it calculates, not without reason, that

the new religion, to secure objective establishment, must prove itself by the miracles it can perform. It realizes that it has the key to miracles in its own hands; and it sees no reason why it should surrender the key. It has seen new faiths before—Bryan in 1896, Roosevelt in 1912. In the end they have always been defeated; and industrial feudalism has returned—as it conceives, unimpaired in strength—to the enjoyment of its empire.

It is a calculation far from devoid of substance. To maintain his hold of the popular mind Mr. Roosevelt must have a rapid success. He cannot keep Congress in a mood of subservience through 1934; and there is then a new election with all the hope a new election implies. The Supreme Court may not share the exaltation of his mood; a blow from the Supreme Court would seem a vital vindication of Congressional skepticism. Foreign opinion is largely hostile or suspicious, at least in the right circles; and, properly reported in the United States, it may create those winds of doctrine from which the old, solid Republicanism may arise purified and refreshed.

The constant flux of advisory influences at Washington is suggestive of at least the possibility that Mr. Roosevelt himself is devoid of certainty; and a high priest who doubts his own creed does not permanently convince his followers. When to these prospects is added the natural resentment of the financiers at their exclusion from a White House which, save for the intervals of Cleveland and Wilson, they have been accustomed at least since the Civil War to think of as an annex to Wall Street, it does not become difficult to understand the psychological considerations which tempt big business to assume that time is on its side.

‘It is for Wall Street to decide,’

writes Mr. Lippmann, ‘whether in principle it will accept the “New Deal” or resist it.’ Those are significant words. They assume a right in Wall Street to decide whether to wreck an experiment in which public opinion is whole-heartedly on the side of the President; on which, also, the whole future of the United States decidedly depends. Even a relatively detached observer like Mr. Lippmann can assume without discussion that Wall Street has a choice; he does not think it necessary to discuss whether Wall Street is not also under an obligation to accept the emphatic will of the American people. If that discussion does not appear necessary to Mr. Lippmann, it is reasonable to assume that it does not appear necessary in Wall Street. Once that can be said, it may be argued with conviction that Wall Street will not lightly coöperate in the surrender of its kingdom.

VII

So, as it seems, the issue is joined. The adventure upon which Mr. Roosevelt embarked last March is not a new one in history; it was only the drama of its immediate and critical environment which gave it special emphasis and color. He sought, with a passionate suddenness, to do, as it were overnight, something akin to what the Liberal Government in England had sought to do after 1906. Like it, he had swept the country by an appeal to social justice. Like it, he seeks to discover the terms of a new social equation in which a crude and irrational economic process may be transformed into one which serves an acceptable social purpose. The aims of the Liberal Government foundered upon the antagonism of the possessing class; the latter, which refused terms to socialized liberalism, had, after the war, to confront a mili-

tant socialism impatient with their philosophy and its claims. Refusing the medicine of reform, they drifted into the position where they confronted, as its alternative, the surgery of revolution. And that is the alternative of universal history.

Is American experience to be different? Mr. Roosevelt, no doubt, has certain advantages on his side which were lacking to his English predecessors. He deals with a society far more experimental in character, far easier to shake out of its habitual ways. He has still a volume of popular support which no comparable foreign government has enjoyed. He still has the will and the courage to govern — assets which the Liberal Government of Great Britain lost far more easily than he is likely to do. He is dealing with a crisis; and a people in a crisis always responds to measures which have an imaginative sweep about them. He deals with a people ever more insistent-ly aware that his failure is their own; more likely, accordingly, to realize the need on their part for patience in difficulty and ardor in support. He is attacking, further, a body of opponents whose own dismal failure to justify their leadership is made painfully more evident by every careful analysis of their past. He is appealing from irrationalism to principle, with the clear knowledge that, if he fails, irrationalism will again resume its empire over men's lives.

More than that, there is also the knowledge that, if he does fail, forces march to the conflict between whom decision is no longer possible in terms of peace. The failure of Mr. Roosevelt means the end of political democracy in America, for the simple reason that it will prove itself thereby incapable of adapting to its purposes the institutions of its economic life.

These are important advantages

which we gain nothing by minimizing; yet they do not provide a basis for optimism. There is too little evidence in the American scene to suggest in the predominant economic forces any anxiety to coöperate in their radical adaptation. Wall Street may fairly be likened to the British House of Lords; and of the latter it was said acutely by Lord Rosebery that it would pass only in a storm. It is important that there is absent from America a trained and neutral civil service; this makes Mr. Roosevelt's administrative problem one of grave magnitude. It is important, also, that the separation of powers surrounds the executive control of Congress with the constant hazard of uncertainty; to control it, he must be successful, and he lacks the assurance of success. Nor is the prospect of conflict with the Supreme Court a negligible factor; psychologically not uneager to wound, a decay in the resolution of public opinion might easily endow it with the courage to strike.

Behind all is the terrible factor of time, the need for rapid accomplishment, the danger that delay in success may split the forces upon whose unity the President depends for victory. And it is a factor of importance that he deals with a world situation in which, both economically and politically, reason seems to have lost its hold over men's minds and hearts.

What Mr. Roosevelt is doing is, in a general way, what any President must have sought to do who had achieved power on his terms; though it must be added that, in the conditions of presidential nomination, few would have sought to do it either with his courage or with his persistence. What he is doing is to find those intermediate terms between traditional America and that new American society the ultimate emergence of which is written in the

inescapable facts of her economic and social life. He is seeking that commonwealth which those facts alone make rational — a commonwealth the values of which men feel able to accept as just because they *are* rational. If he fails, in the end, other men will take up his

work, though it will be by very different methods that they will achieve his purpose. But if he succeeds, he will write a new page in the history of the world. For, having saved America by his energy, he will, as one trusts, save Europe by his supreme example.

THE GREAT DIARIST

BY CHAUNCEY BREWSTER TINKER

I

I REMEMBER to have read somewhere in the pages of Mark Twain the account of a youthful attempt to keep a diary, the result of which was the endless repetition of the simple sentence, 'Got up, washed; went to bed.' I forget what the anecdote was meant to illustrate — the fact that there was nothing in a boy's life worth recording, or the fact that the diarist's art is a difficult one. In either case, I submit modestly but firmly that Mark Twain was wrong. A true diarist will be interesting about anything and about everything; whether the dog has ruined the carpet or a king been seated on his ancestral throne, the true journalist is never dull. The Creator has dispensed him from boring his audience.

Take, for instance, the three incidents of the day recited above: one gets up, one washes, and one goes to bed, all processes sufficiently common — even washing — to seem useless to the literary artist; yet who would spare them from the pages of Samuel Pepys? 'Up and to my office' . . . 'Up betimes, and to St. James's' . . . 'Lay in bed, it being Lord's Day, all

the morning, talking with my wife; then up.' I find that I resent the entries in his Diary that lack this familiar beginning, as though something essential had been omitted. As for the companion phrase, consecrated to the close of day, it has in our own time achieved such popularity that it bids fair to be permanently enshrined in the daily speech of men, and cease to be recognized as a quotation: 'And so to bed. . . .' Sentiment will ultimately make an epitaph of it, like 'Say not good-night,' or 'Good-bye, proud world.'

As for bathing, that may be the most exciting of events, as the poets know: 'the cool silver shock of the plunge,' whether it be into the 'pool's living water' or into the chilly waters of the domestic tub. 'One clear, nice, cool squirt of water o'er your bust.'

Up, and to the office . . . where busy till noon, and then my wife being busy in going with her woman to a hot-house to bathe herself, after her long being within doors in the dirt, so that she now pretends to a resolution of being hereafter very clean. How long it will hold I can guess.

22nd. Lay last night alone, my wife after her bathinge lying alone in another bed. So cold all night.

25th. Thence home to the office, where dispatched much business; at night, late home, and to clean myself with warm water; my wife will have me, because she do herself, and so to bed.

Verily, nothing that is human is alien to the diarist. For him life contains nothing that is common or dull. Let him tell us what he ate for dinner, or how cold he was in bed, or how a duchess smiled on him, or what is his balance at the bank, or how he has lost his faith in God, or regained it, or been snubbed by a rival, or cursed his enemy in his heart, or cast eyes of desire upon the parlor maid — all is grist to his mill. How near is grandeur to our dust! How easily does this mortal put on immortality!

But immortality is bought at a price, even by the diarist. It is a razor edge, as the Mohammedan tells us, across which the aspirant to Heaven must make his way. And the diarist, like the rest of us, is in perpetual danger of damnation for his sins. He may make much of them in his journals, and even delight us by his own delight in them; but he must not take pride in displaying them. He would do well to set down naught in the hope of admiration or in the fear of derision. Thus, if a genuine diarist records that he was cold in bed, he does so with a childlike simplicity, as a grievance, as a count against his wife, or as a humble, human fact; but the gods forbid him to enjoy the sensation of being clever at his work. As soon as he becomes clever, attending to his style and aspiring to smart phrase and graceful posture, he is a self-conscious artist, a skillful operative. He may, with luck, become Shaw or Mencken, but he will never be a Samuel Pepys. The artist seeks, properly enough, success and applause;

but the diarist is not concerned with such matters. He is not permitted to anticipate or even to desire them. When once his record is complete, he may realize, I suppose, in some dim fashion that he has prevailed over oblivion, so that he cannot destroy his work, even though he may, so far as the outward and surface part of him is concerned, be unwilling that any eye save his own should ever see what he has written.

II

This setting down of events and emotions precisely as one has known them, and almost immediately after their occurrence, simply, and because one must — this is the *sine qua non* of a true diarist. But why the compulsion? What is the goad that drives him on?

He must, I imagine (for I am myself no diarist), set down an abstract and brief chronicle of life because he loves it so. He cannot bear to let it all perish without leaving a trace behind. I do not mean that he will record only his delights. Sin, pain, and woe have their place in the great diaries of the world, and must always have, since they are of the very fabric of existence. Indeed, a journal may be almost exclusively a recital of these, so as to become painful or even tragic reading; but throughout it all there must be a conviction on the part of the diarist that, in spite of it all, life was worth having. It would not be easy to discover a diarist who was also a sincere and heartbroken pessimist, one who really felt that life was not worth living. If life be not worth living, obviously a journal is not worth writing.

Consider a diary as unlike that of Pepys as could be found: *La Doulou*, by Alphonse Daudet — *Suffering*, or,

as I prefer to render the Provençal word, *Anquish*. It is the intimate and personal account of the daily life of a man suffering from locomotor ataxia. He watches the approach of his enemy day by day and inch by inch, and studies his own physical, nervous, and mental symptoms with the most anxious attention, like a prisoner condemned to the scaffold who watches the moments and days lapsing from him. He knows that he is conquered, but he will not surrender. Like the hero in the old ballad, when he can no longer stand upon his feet, he fights upon his knees; he struggles not so much for himself as for his wife and family, in the hope of concealing from them as long as he can the horrible trap into which he has fallen. Thus *La Doulou* has the intimate, secret note which marks this type of writing; but at no point does Daudet curse life and lie down to die. Black as are the colors of this book, and dire as is its story, there is something invigorating in the account of the victim's prolonged agony, for it is the triumph of a human soul. The book is a vivid contrast to the diary and letters of Obermann, which, even when they have something cheerful to recall, exude a lethal atmosphere which makes the reader, like the author, long to have done, not only with the book, but with the whole futile affair of living.

Perhaps the most recent diary published is that of the Yorkshire parson, the Reverend Benjamin Newton, a typical sporting clergyman of the early nineteenth century, who was interested in everything about him, except perhaps the souls of his flock. Like Pepys, he was acutely susceptible to the charms of the other sex, and listed handsome women in numerical order, according to their beauty of (a) face and (b) figure. He is perpetually

entertaining because of his unflinching vivacity. This is the quality which endears Pepys to his readers: —

I home to set my journall for these four days in order, they being four days of as great content and honour and pleasure to me as ever I hope to live or desire, or think any body else can live. For methinks if a man would but reflect upon this, and think that all these things are ordered by God Almighty to make me contented . . . in my life and matter of mirth, methinks it should make one mightily more satisfied in the world than he is.

Neither syntax nor theology here is beyond criticism, but what vitality it reveals, what sincerity, what contentment! I like to think that the gratitude of young Mr. Pepys was acceptable to his Creator.

So dispatched all my business, having assurance of . . . all hearty love from Sir W. Coventry, and so we staid and saw the King and Queene set out toward Salisbury, and after them the Duke and Duchesse, whose hands I did kiss. And it was the first time I did ever, or did see any body else, kiss her hand, and it was a most fine white and fat hand. But it was pretty to see the young pretty ladies dressed like men, in velvet coats, caps with ribbands and with laced bands, just like men. Only the Duchesse herself it did not become. They gone, we with great content took coach again, and hungry come to Clapham about one o'clock, and Creed there too before us, where a good dinner . . . and so to walk up and down in the gardens, mighty pleasant. By and by comes by promise to me Sir G. Carteret, and viewed the house above and below, and sat and drank there, and I had a little opportunity to kiss and spend some time with the ladies above, his daughter, a buxom lass, and his sister Fissant, a serious lady, and a little daughter of hers that begins to sing prettily. Thence with mighty pleasure, with Sir G. Carteret by coach, with great discourse of kindness, with him to my Lord Sandwich, and to me also; and I every day see more good by the alliance. Almost at Deptford I

light and walked over to Half-way House, and so home, in my way being shown my cozen Patience's house, which seems, at distance, a pretty house. At home met the weekly Bill, where above 1,000 encreased in the Bill, and of them in all about 1,700 of the plague, which hath made the officers this day resolve of sitting at Deptford, which puts me to some consideration what to do. Therefore home to think and consider of every thing about it, and without determining anything, eat a little supper, and to bed, full of the pleasure of these 6 or 7 last days.

All this mighty pleasure in the midst of a plague-stricken city! Terror hangs over the world like an ever-blackening cloud, but the diarist's appetite for existence endures undiminished. And so it remains to the end of the journal, when, with the dread of blindness descending upon him and faced with the necessity of closing his Diary, he can still record: —

Dined at home, and in the afternoon by water to White Hall, calling by the way at Michell's where I have not been many a day till just the other day, and now I met her mother there, and knew her husband to be out of town. And here je did baisier elle, but had not opportunity para hazer some with her as I would have offered if je had had it. And thence had another meeting with the Duke of York, at White Hall, on yesterday's work, and made a good advance: and so, being called by my wife, we to the Park, Mary Batelier and a Dutch gentleman, a friend of hers being with me. Thence to 'The World's End,' a drinking-house by the Park; and there merry, and so home late.

No trace is here of gloom or apprehension; yet the sentences speed forward to the most pathetic utterances of the great Diary. Even as he prays for mercy in the blindness which he believes to be coming on him, he does not forget his 'amours to Deb' and all 'other pleasures' which his eyesight now compels him to resign.

III

This very quality in which Pepys excels was well described by another great writer of journals: —

The minds of some men are like a dark cellar — their knowledge lies concealed; while the minds of others are all sunshine and mirror, and reflect all that they read or hear in a lively manner.

These are the words of James Boswell, a man who, quantitatively at least, rivals Pepys as a diarist. Pepys covers but nine years; Boswell, who had no trouble with his visual organs, remained an inveterate journalist to the end, and, no doubt, presented himself at the gate of Heaven notebook in hand. Now Boswell was a vastly less healthy person than Pepys; he suffered through life from a recurrent melancholia which introduces the strangest lights and shadows into his journals; but in his happier hours he had to a very high degree indeed the passion of which I have been speaking. Johnson himself described Boswell's fondness for the metropolis as a '*gust* for London.' And there are other powers which Pepys and Boswell share.

Both, for instance, were collectors. Both belong to that hungry set who save things, who gather relics and preserve souvenirs, who love long rows of well-filled shelves and all the paraphernalia of a library. These men leave treasures to posterity.

There is an intimate connection between this mania and the relish of existence which both men display so noticeably. It is because of his gusto that the diarist attempts to preserve some memorial of it, however inadequate. He cannot bear to think that experiences so rich should perish without leaving a rack behind, and he therefore enters into mortal combat with oblivion. The closer his record

to the event itself, the more nearly satisfied he will be. Boswell provides many amusing examples of this desire for verisimilitude. Once when he sent his friend Temple as a sort of ambassador to the young lady with whom he was, or thought he was, in love, he provided him with a long series of detailed directions, the most pointed of which is the command, 'Take notes.' By taking notes, you see, the ambassador may hope to preserve not only the *ipsissima verba* of the interview, but even the very atmosphere and tone of it. The incident will be preserved, as book collectors say, 'in the original condition.' As long as the scenes of one's past are dear to the heart, so long will a man try to prepare for his future nostalgia by the writing of diaries and the preservation of relics. A true diarist is like a great portrait painter who takes his own likeness. The Diary of Mr. Pepys is, in a way, the greatest *Selbstbildnis* ever painted. 'A man loves to review his own mind,' said Johnson to Mrs. Thrale; 'that is the use of a diary or journal.' To whom Lord Trimlestown, who was present, said, 'True, Sir. As the ladies love to see themselves in a glass, so a man likes to see himself in his journal.'

All the reader's interest in the mirror of a mind arises from a conviction of the writer's truthfulness. Any suspicion of insincerity, any hint that the diarist is looking over his shoulder to see whether he is being admired or marveled at, any betrayal of a hope that it will all one day get into good black print — this will at once, in some degree, vitiate the reader's pleasure. For the reader of diaries is an eavesdropper. He has his ear to the keyhole, seeking to pry into intimacies. If he suspects that the conversation to which he listens is intended for his ear, and that the

speaker wants to be overheard, all the fun ends at once. Neither the *Soliloquies* of Saint Augustine nor the *Confessions* of J. J. Rousseau (different as they are in every way) is a true diary, for both men are too much interested in the reader's response to what has been set down. Miss Burney, too, is aware of her audience, and indulges her love of fine writing — a sin of which Pepys was as ignorant as the babe unborn. She sometimes carries her art to the point at which one begins to wonder how much of the original fact is left. She was an inaccurate person, the sort of woman who dates a letter 'Wednesday.' How far does her indifference to such detail extend? To the words alone? Or to whole conversations? Are the speeches she writes down like those of the generals in Thucydides?

But there is no carelessness or inaccuracy, or rhetoric, no heightening and coloring, in Pepys or Boswell. Both men were professionally concerned with recording facts: Pepys was engaged in filing records for the Naval Office — lists of battleships, with their tonnage and personnel, their movements and their whereabouts, and thousands upon thousands of similar details of no special interest to posterity. Boswell, as a Scotch lawyer, had to present his cases to the court in written form. Such work begets in a man a sense of fact, and a respect for the moving finger of time. He is not likely to date an important letter 'Wednesday.'

Much of our pleasure in reading Pepys springs from our conviction of its authenticity. It is this that sweeps us along, page after page, over the names of persons of whom we know nothing. But we do know that they are real, like the persons whom we pass in the street, even though we can tell nothing whatever about them.

Some of them are acquainted with Pepys, and we are acquainted with him — that is sufficient. With a few of them we, too, become better acquainted as we read on, so that, if we persevere, we find our pleasure constantly mounting, since our knowledge of what is going on is gradually clarified. We shall never come to a perfect vision of it all, — even the most painstaking research will never attain to that, — but life as it was three hundred years ago, and Samuel Pepys in his habit as he lived, these we may come to know.

IV

Let us not mistake. Pepys is not great merely because he brings us into contact with the exciting events of his time. True, he lived through the *annus mirabilis* of 1666, and so had intimate personal knowledge of the defeat of the Dutch fleet, the great plague that swept over the city, and the Great Fire which swept over it in a more literal sense. These are important events, as are a thousand others with which Pepys brings us in contact, and so the Diary is an invaluable source book for historians. But this is not the reason that Pepys has the devotion of his readers.

The fact is that the man had the fine art of making his record sparkle with vitality. I cannot analyze that gift. I have never met anybody who could. Most essays on Pepys — and there are many delightful ones — rely for their charm on liberal quotations from the Diary. The more quotations, the more charm. The essayist usually contents himself, as in the present instance, with a characterization of the man, not with a critical analysis of his style. How shall one show the component parts of anything so artless?

Yet Pepys was an artist, and I believe that he knew it. It would be more accurate to say that he came in time to know it. It seems to me preposterous to try to believe that a man who has produced a vast work of genius should be unaware of what he has done. He may very well have been ignorant of its largest relations and of its permanent value to mankind; but that he should have had no intimation of its pictorial and panoramic quality, no realization of the fact that it plumbs the depths of human nature — this is to me beyond belief. I should as soon expect the builder of the pyramids to be unaware of the shape which he had erected.

And I believe, furthermore, that it was this knowledge of what he had done that prevented Pepys from destroying or ordering the destruction of the Diary. He could not do it, nor do I think that another man who had created such a thing (if we may tolerate such an assumption) could bring himself to destroy it. For Pepys it would have been a kind of suicide.

He was aware, of course, that it could be readily decoded, — was not the same code used in his office? — and, indeed, a cipher that cannot be decoded, if such there be, would be simply a form of oblivion. And yet there was a certain protection in it. A cipher does furnish a screen against casual observation; a long diary, like that of Pepys, might hope to survive many years unread. After a lapse of a couple of generations, secrecy was no longer of consequence. This was perhaps, consciously or subconsciously, what Pepys wished. He wanted privacy — protection, that is, from the inquisitiveness and derision of his neighbors; and this the cipher afforded, and would probably continue to afford as long as any of his contemporaries

remained alive. To most of us posterity hardly matters. The genial soul of Pepys may very well have been content to meet it, and entrust his reputation to it. I cannot see why any man should shrink from that. It is one's neighbors and relatives whom one wishes to elude. In the masquerade of life a man does not care to give himself away. It is a world in which we are all making a plucky pretense. One takes conscious pride in 'getting away' with one's pose, and none more so than Pepys in public life. But there is solid comfort in making a clean breast of it, whether one is purging the stuffed bosom of the perilous stuff that weighs upon the heart or merely setting down the various devices by which he has succeeded in snatching the pleasures of existence as they fly. But it is so hard to get a hearing and to utter all that one would like to say! Confessors, I have been told, find some difficulty in persuading their penitents to abridge the tale of their sins. 'No excuses, please; no details,' they must be always hinting. But the diarist feels no such restraint, and hears no such monitor. He may go on forever.

And as for being read by posterity, is there not a certain pleasure in that, even though everything has to come out? It is certainly no worse than dying and meeting the Recording

Angel, which is the experience that awaits us all. But, thanks be to God, it is an angel, and not our neighbors, our wives, or our professors whom we have to meet. Perhaps it will not be so bad after all. Who knows but there may be a solid satisfaction in it, upon getting a hearing at last? The angel will probably do the best he can for us. It is the way of angels.

Posterity has been friendly to Pepys. Not even an angel, I imagine, could have been more indulgently kind. Where is there an author more beloved by his readers? Boswell is still despised by multitudes, Walpole is disliked, Cowper pitied, and Rousseau distrusted. But Pepys is like Lamb, loved by everybody. I have encountered but one sneer at Pepys, and that was from the pen of a Communist, writing for the *New Masses*, one Michael Gold:—

Samuel Pepys is esteemed by bourgeois readers because he did the things they do, or want to do: he accepted bribes, he dodged his taxes, he was unfaithful . . . to his wife, he beat his servants.

In the new world of Communism there will, I suppose, be none of these dreadful things, for sin and the knowledge of it will have been abolished (by law), and nobody will care whether he is loved by posterity or not.

VOCABULARY AND SUCCESS

BY JOHNSON O'CONNOR

WHAT is success? And how is it gained? Whether one thinks of success as financial reward, or as assured social position, or as satisfaction in able work accomplished and recognized, or as a combination of the three and something more, many factors contribute. Most of them elude our understanding and remain intangibly beyond definition. A vital force drives some individuals over every obstacle. With others that great generalization, character, adds strength of a different sort. Neither may ever be restricted to a hard and fast formula; certainly, at the moment, neither can be measured. But other more concrete constituents of success have been isolated and studied in the laboratory. One of these is a large English vocabulary.

An extensive knowledge of the exact meanings of English words accompanies outstanding success in this country more often than any other single characteristic which the Human Engineering Laboratories have been able to isolate and measure.

What is meant by vocabulary? Just what the word signifies. Does the word *enervating* mean *soothing*, *exciting*, *distressing*, *invigorating*, or *weakening*? For most well-educated persons the choice is between *invigorating* and *weakening*. Fifty-two per cent of the college graduates whom we have measured choose *invigorating* as the synonym; only sixteen per cent choose *weakening*, the dictionary definition. Does *stilted* in

the phrase, 'his stilted manner,' mean *irresolute*, *improper*, *cordial*, *stiffly formal*, or *vicious*? A majority of educated persons mark *stiffly formal*, but more than a third mark *irresolute*. Answers to the meaning of *scurrilous*, in the phrase, 'scurrilous rogue,' divide themselves more or less evenly between *hurrying*, *desperate*, *abusive*, *frantic*, and *diseased*, with *desperate* the most popular. For *peremptory*, a majority mark *decisive*, but many choose *persuasive*, *uncertain*, and *angry*. *Pleasant*, the fifth choice, is not as popular. *Linguist* and *glutton* are equally enticing as synonyms for *polyglot*. For *refulgent*, in 'a refulgent smile,' *repellent* is most intriguing and *very bright* next, with *mischievous*, *flattering*, and *sour* all following closely in popularity. For *monograph* forty per cent choose *soliloquy* and less than twenty per cent *treatise* and *epitaph* each.

The word *vocabulary*, as used in this article, signifies a knowledge of the dictionary meaning of just such words as *enervating*, *stilted*, *scurrilous*, *peremptory*, *polyglot*, *refulgent*, and *monograph*. Not until one attempts to pick an exact synonym does one realize the difficulty. One may like the sound of a word and use it in a picturesque way without being accurate in its meaning.

I

To measure the vocabulary of an individual, the Laboratory uses a list

of one hundred and fifty test words. Each is printed in italics in a short phrase and is followed by five choices, all of which fit the phrase but only one of which is a synonym of the test word. The instructions are: 'Underline that one of the five choices which is nearest in meaning to the word in italics.' The words to be defined were selected by Alexander Inglis of the Graduate School of Education, Harvard University. His intention was to include words which appear once or twice in 100,000 words of printed matter. It is a general reader's vocabulary from which technical terms have been excluded. The test words vary from some that are quite easy, such as

Thrilling experiences — dangerous, exciting, unusual, disgusting, profitable,

to others that are more difficult, such as

Glabrous heads — bald, over-sized, hairy, square, round,

which only twenty-one per cent of college graduates mark correctly. Since one fifth, or twenty per cent, should guess the correct answer, the meaning of *glabrous* is practically unknown. The test measures knowledge of words one recognizes, not necessarily of those one uses. The words one uses accurately are, no doubt, fewer than those one recognizes, but there is probably a relation between the two.

Three hundred high-school freshmen average 76 errors in the list of 150 words. Seven hundred college freshmen average 42 errors. One thousand college graduates from a wide variety of colleges — most of them, however, in the eastern part of the United States — average 27 errors, and vary from the one person in a thousand who achieves a perfect score to the one who knows less than 50 of the 150 items. The college professors whom we have measured average 8 errors; major executives

average 7 errors. Major executives score higher in this English vocabulary test than any other selected group with which we have experimented.

By the term 'major executives' is meant all individuals who, for five years or longer, have held the position of president or vice president in a business organization. Such a definition includes both successful and unsuccessful executives, provided only that they have survived five years; it includes alike forceful personalities and figure-heads; but it has the great advantage of excluding our personal judgment from the process of selection. Major executives as thus defined average in the top ten per cent of college graduates as a whole.

Although it is impossible to define success rigidly or scientifically, it seems to be true, nevertheless, that a large vocabulary is typical, not exclusively of executives, but of successful individuals. It happens that in the business world successful men and women are designated by this special appellation, 'executive.' The successful lawyer or doctor is marked by no such name. But if, to the best of one's ability, one selects successful persons in the professions, they also score high in vocabulary.

For one meaning of success the Century dictionary gives 'a high degree of worldly prosperity.' The measured English vocabulary of an executive correlates with his salary. This does not mean that every high-vocabulary person receives a large salary, but the relation between the two is close enough to show that a large vocabulary is one element, and seemingly an important one.

Furthermore, the executive level which a man or woman reaches is determined to some extent by vocabulary. In many manufacturing organizations the first step in the executive ladder is

the leading hand, called sometimes the working foreman. This man is in charge of half a dozen or a dozen others. He works at the bench or at a machine as they do, but is the executive of the group. The next step is the foreman, who may be in charge of as many as a hundred or more individuals. He does no bench work, he is not a producer, but devotes full time to his executive duties, to the keeping of records and to the handling of the personnel. The next step in many large organizations is the department head or superintendent or manager, who ordinarily does not come in direct contact with the workers, but handles them through his foremen. The final step is the major executive or official, the vice president or president of the organization.

These four executive ranks represent four degrees of success, in one sense in which that word is used. One is *advanced* from leading hand to foreman, from foreman to manager, from manager to president. As far as we can determine by measurements, the leading hand and the official have much the same inherent aptitudes. They differ primarily in vocabulary. Typical non-college-graduate shop foremen average, as a group, about as high as college graduates. Department heads score higher, roughly fifteen errors, and major executives the highest of all, averaging only seven errors. Whether the word 'executive' refers only to the major group or is used in the broader sense to mean anyone in charge of other workers, it is still true that the executive scores higher than those under him and higher than other persons of similar age and education.

II

An interesting sidelight on the high vocabulary scores of executives is that they were unforeseen. When a scientist

expects a result and finally achieves it there is always the feeling that, regardless of the care he has taken, personal bias may have entered. Six or eight years ago the Human Engineering Laboratories tested forty major executives of the Telephone Company who had offered themselves as victims to be experimented upon in a search for executive characteristics. At the same time the Laboratory was also revising the vocabulary test, not with the notion of using it with executives, but with the hope that it might prove of value in education. One day, with no thought of the consequences, I gave it to an executive, and from then on was asked for it regularly because of the interest it aroused. I paid little heed to the results until one day an executive refused to take the test. He had been obliged by lack of money to leave school at fourteen, and had earned his own living since. With no further formal education, he had worked his way to a major position. He had taken the aptitude tests without hesitation, but vocabulary seemed to him so directly the result of schooling that he knew in advance he would fail. His own words were that he had made his way without being found out and he was not willing to give himself away. But in scientific work one cannot test only those who think they will do well, and we finally persuaded him to try the vocabulary test. He made two errors where the average college graduate makes twenty-seven.

Was it luck? Or was it significant of something which we had not recognized? The Laboratory listed the vocabulary scores of one hundred executives and, parallel with them, the scores of one hundred miscellaneous college graduates. The difference between the two arrays was striking. Only nine per cent of the college graduates scored as high as the average major executive.

Why do large vocabularies characterize executives and possibly outstanding men and women in other fields? The final answer seems to be that words are the instruments by means of which men and women grasp the thoughts of others and with which they do much of their own thinking. They are the tools of thought.

Before accepting so far-reaching a conclusion several more obvious explanations must be examined and excluded. The first and most natural supposition is that successful persons acquire words with age and with the experiences of life. Success does not usually occur early. The successful group were necessarily older in both years and experience than the general run of college graduates with whom they were compared; and their large vocabularies might be the inevitable result of age.

To probe this point a study of the growth of vocabulary with age was undertaken. From twelve, the earliest age for which we have a large number of measurements, to twenty-two or twenty-three vocabulary expands steadily and at a uniform rate. Through this school period the score on the vocabulary test of one hundred and fifty items improves five words a year. From twenty-three to fifty vocabulary continues to increase, but changes no more in these twenty-five years than in two school years — not enough to explain the high scores of executives. Normally, vocabulary is acquired early in life, before most men have made appreciable progress toward a responsible position. The large vocabularies of successful individuals come before success rather than after. Age and the experiences of life may contribute new words, but certainly do not explain in full the high vocabulary scores of business executives.

The next thought is that effective

schooling may be the source both of a wide vocabulary and of executive success. It is known, from the work which the American Telephone and Telegraph Company has undertaken, that there is a relationship between school success and business success later in life. Although not everyone who leads his class becomes a brilliant executive, and although not everyone who fails in school fails in life, in general school success preludes executive success. Schooling may be the vital factor of which the large vocabularies which we are measuring are but by-products.

To obtain evidence bearing on this point, we measured the vocabularies of twenty men who had left school at the age of fifteen and who had worked their way into major positions. They also averaged only seven errors. Their scores equaled those of the college-graduate executives. In the case of these twenty men it is their vocabularies which are important rather than their formal school education. Their large vocabularies are not the result of schooling and must, we therefore conclude, be significant for some other reason than as a by-product of an educational background.

Is, then, a college background of no importance? Has the non-college man the same chance of becoming an executive as has the college graduate? This fact seemed worth determining. Of the major executives in a large industrial organization, sixty per cent are college graduates, forty per cent non-college. At first glance, college would seem to have done little, for almost half are not college men. But, to be fair to education, there is another angle from which to view this result. Of the college graduates with this same company, more than three quarters are in executive positions, whereas, of the non-college men, well under a tenth are in similar positions. College graduates, in

general, average measurably higher in vocabulary than do non-college persons. Furthermore, of the college group a significantly larger percentage are executives.

One would like to conclude without further preamble that the vocabularies of the college group are large because of directed effort and that these purposefully gained vocabularies have contributed to executive success. Non-college executives, then, are those rare individuals who pick up words so easily that their vocabularies are large without effort. But there is one further possibility which must be investigated.

Although the vocabulary test was designed to measure knowledge which must have come through books or by word of mouth, a high score may reveal an underlying aptitude for language. It may be this flair which is the contributing factor in both vocabulary and success later in life.

It should be possible to isolate and measure diathesis apart from knowledge. We have worked on this approach for a number of years, thus far unproductively. For the time being we must leave the conclusion of this part of the research in abeyance and admit that the vocabularies of successful executives may reveal an aptitude.

III

Vocabularies may always be consciously increased regardless of the presence or absence of any gift. A knowledge of the meaning of each word at one's command must have been obtained by word of mouth or through reading, by some educational process.

Furthermore, with groups of individuals of apparently similar aptitudes, the amount of vocabulary added in a given period varies with different educational techniques. At Stevens Institute of Technology the freshman class

is divided alphabetically into four sections. Each of these studies freshman English under a different member of the faculty. Four years ago the entire class took the vocabulary test the first week of freshman year. The four sections averaged about the same in vocabulary, and there was no reason to suppose that, selected as they were, one would score higher than another or have more ability. Yet, when remeasured nine months later, two of the sections had improved more than average academic freshmen, one section had improved only half this amount, and the fourth had retrogressed slightly.

The improvement of one section may have been due to the fact that the instructor was interested in the vocabulary test and its implications. The important fact is that differences in vocabulary improvement were caused by differences in teaching techniques — in other words, that an improvement in vocabulary score can be produced by education.

Those boys and girls whom the Laboratory has measured and urged to better their vocabularies, and then remeasured at the end of two or three years, have shown more than average improvement. Here again vocabulary is induced independent of aptitude. It is for this reason that the Human Engineering Laboratories, in helping a youngster to find himself and start in the right direction, use a vocabulary test in lieu of a general intelligence test.

We come now to the question of whether or not that increment of vocabulary directly due to educational stimulation contributes to success. The four sections of the freshman class at Stevens Institute of Technology to which reference has been made, which took freshman English with different members of the faculty and improved different amounts in vocabulary, were

followed to see the effect of these new vocabularies on school work the next year. The four sections averaged nearly the same in school marks freshman year. Sophomore year the two sections which had enlarged their vocabularies the previous year showed general gain in all school subjects — not strikingly, not enough to prove the point once and for all time, but enough to suggest that a vocabulary acquired consciously reflects in general school improvement the next year.

It is always possible that the improvement in school work was due to inspired teaching, to added incentive, but if this were true it would seem as if the improvement in school work should appear immediately freshman year, whereas it did not appear until sophomore year after the vocabulary had been acquired. This seems to indicate that it is the additional words themselves which are the tools used the next year, that words are important in and for themselves.

IV

Granted that diction is important, and many would agree without elaborate proof of the point, how, from the standpoint of the school, can it best be given; and, from that of the individual, how best achieved? Is it a knowledge of Latin and Greek which lays a sound foundation for a real understanding of words? Or is it constant reading? Or the assiduous perusal of the dictionary? Probably all contribute; as yet we have found no straight and easy road.

In the search for a road to vocabulary we have unearthed several facts which throw light on the learning process. One of these, which, if rightly interpreted, may prove to be of far-reaching importance to education, is that vocabulary advances with an almost unbroken front. The words at the command of an individual are not a

miscellany gathered from hither and yon. With a very few exceptions they are all of the words in the dictionary up to those of an order of difficulty at which his vocabulary stops abruptly, and almost no words beyond. In the revised form of the test which is now available for school use, the items are arranged in order of difficulty as determined by actual test results. The first fifteen or twenty words of the test are known to the average high-school freshman or sophomore. The next thirty to forty are on the border line of his knowledge. Some he recognizes, others are vaguely familiar, and others he has not yet encountered. The balance are so far beyond him that he marks correctly no more than the one in five which he guesses by pure chance.

For convenience of scoring, the words are divided into ten groups of constantly increasing difficulty. One who knows the words of Group II, second in difficulty, almost invariably marks correctly every word of Group I. Another youngster who may know the words of, let us say, Group VI rarely fails on a single word in any of the first five easier groups. Similarly, one who fails on twelve of the fifteen words in any one group — that is, marks correctly only the one word in five which he guesses — almost never knows a word in any more difficult group. There are not, as we had expected, stray words in the difficult part which one who fails earlier in the test has stumbled upon and remembered. These unusual words, if previously encountered as they must have been in reading and conversation, are too far beyond the point he has reached to make any lasting impression.

The one exception to this rule is the foreign student who may know difficult words because of their similarity to his own language, but miss much easier ones. Thus the Southern European often marks correctly such difficult

words as *cephalic*, *garrulity*, and *piscatorial*, because of knowledge of Italian and French, but fails to know much easier words of Old English origin, such as, for instance, *knack*, *blotch*, and *cope*.

In the region where learning is taking place, the commonest error is the confusion of a word with its exact opposite. Among seventh- and eighth-grade and first-year high-school pupils, nearly a third mark *found guilty* as the correct meaning of *acquitted*. *Upright* is the most popular misconception for the meaning of *reclining*; and, strange as it may seem, *neat* is the commonest misconception of *untidy*. The seventh-grade youngster berated for keeping an untidy room quite often evidently receives the impression that he is too orderly. The failing is not limited to the high-school group. For *incontrovertible* the correct answer *indisputable* is usually marked by college men, but of the remaining four choices *unsound* is by far most popular. In the phrase 'You *allay* my fears,' — where the five choices are *justify*, *calm*, *arouse*, *increase*, and *confirm*, — *calm* is usually answered by the educated group, but *arouse* is next most popular. In the phrase 'He *retracts* his criticism,' *withdraws* is the correct answer and *repeats* is the most common delusion. In 'He *vented* his wrath,' *poured forth* is correct and *restrained* is the commonest misapprehension.

One need but turn to words of which one is not quite certain to see how difficult it is to distinguish opposites. One evening at dinner with a delightful Dean of education, we fell to discussing this question. He recognized *cathode* and *anode* instantly as electrical terms designating the two poles, but hesitated a moment before saying which was which. *Port* and *starboard* he admitted he had never straightened out and resorted to some such phrase

as 'Jack left port.' *Gee* and *haw* were beyond him. He surmised that they meant *up* and *down*, but said frankly he did not know the words. When told that they were used in ploughing, he was instantly interested, but did not care at all which was which. He was taking the first step in the learning process, placing them in their correct environment. The fifty-two per cent of college graduates who choose *invigorating* as the meaning of *enervating* are on the verge of knowing the word. The dictum of modern education, never to teach what a thing is not, has perhaps come from a realization of this confusion of opposites. The confusion seems, however, to be a natural step in the learning process.

V

In the study of human beings the factors involved are so numerous and so intertwined with one another that the experimenter, in unraveling the strands, must pause periodically to make certain that he is progressing. What then has been discovered? An exact and extensive vocabulary is an important concomitant of success. So much is known. Furthermore, such a vocabulary can be acquired. It increases as long as an individual remains in school or college, but without conscious effort does not change materially thereafter.

There may be some subtle distinction between a natural vocabulary picked up at home, at meals, and in reading, and one gained by a study of the dictionary. The latter may not be as valuable as the former. But there is nothing to show that it is harmful and the balance of evidence at the moment suggests that such a consciously, even laboriously, achieved vocabulary is an active asset.

THE TWILIGHT OF THE BUSINESS WOMAN

BY PHILIP CURTISS

I

I HAD an experience, the other day, that startled and impressed me more than anything that has happened in years. I have a daughter, aged almost sixteen, and for some time her mother and I, in the usual manner of parents, had been upset and worried because her future was not completely settled and ticketed right up to the age of seventy. All the usual possibilities had been considered — an artistic or literary career (rather frowned on because of the shocking example of her father), the stage or movies (still less encouraged because of certain depressing memories of her mother), trained nursing, college, a library course, but chiefly that mystic thing known as ‘a job,’ a word which for the past dozen years has seemed to express to the feminine mind everything that is exciting, noble, or desirable in life.

On a recent morning, however, my wife looked up from her coffee cup and, without one word of warning, uttered this world-shattering statement: ‘You know, the more I think of it, the more I believe that Jeanie is the sort of girl that ought to marry — and marry quite young.’

Only a father, and especially a father who has been thrown largely into a world of women, can quite realize the unexpectedness and the impact of that statement. It was exactly as if I had suddenly looked out the window and seen a man ride by on a high bicycle.

Even so, I had been married too long to allow my face to reflect my emotions. Any exultation or too vivid agreement would have been interpreted as ‘I told you so.’ Thus I pretended to weigh the statement for a moment, then answered, ‘I don’t know but what you’re right.’

Nevertheless, when I went to my study I was tingling with excitement. Was it really possible that the modern American worship of the business woman was coming to an end — along with the worship of the business *man*? Should I actually be able to sit down at a tea table without hearing incessantly, ‘What’s become of Elizabeth?’ ‘Oh, have n’t you heard? She’s got the most marvelous job at the A. & P.’ Could I now go out for an evening without being taken aside by my hostess and told, in awe-struck whispers, ‘I do want you to meet Clementine Spugg, the most stimulating person! She’s practically the head of all the silk buyers at Scheinfelt & Dubie’s.’ Especially, should I be able to pick up a modern novel without finding that the heroine was a clear-eyed, worldly-wise woman, who quietly ran the hero’s whole business for him, signing his checks, cajoling his creditors, belaboring his salesmen, and soothing his nerves, while his wife, a brittle, butterfly sort of creature, wasted his substance at the Plaza and the Ritz?

No, at the moment I could n’t believe it. It was too much.

II

But when you have seen the first yellow leaf of autumn you are soon likely to see a lot more, and within a fortnight a number of such leaves came tumbling down the wind. Two or three days later I went canoeing with a young divorcée who, to the delight of her friends, had stepped straight from the courtroom into one of those vague, card-catalogue jobs which seem especially created for people of her type.

'Well, how's the office getting on?' I asked, expecting to hear the usual chirp about 'the most fascinating work' and 'such interesting contacts.'

'Oh, why did you have to bring *that* up?' she retorted. 'If you want the truth, I never hated anything so much in my life. I can't even think of going back to the office without a dull, sinking feeling.'

Shortly after that a pretty young blonde, whose family conditions were rather difficult, came around with the usual announcement that, in order to have a winter in New York, she was going to 'take a job.'

'What kind of job?' my wife asked, still faintly interested to know that there were jobs to be 'taken.'

The young lady shrugged, with a sort of contempt. 'Oh, probably I'll end up behind a counter at Blank's.'

And, again, to realize the heresy of that remark it was only necessary to turn the calendar back one or two years. Two years before, that same young lady would have answered, starry-eyed, 'Well, if I'm lucky I hope to get in at Blank's, but you know they only take college graduates or girls who have social connections in New York.'

III

Now, in order to have no misunderstanding, please let it be stated that I

have no quarrel with legitimate business women. In that term I include all women who *have* to work, all women of some special bent who are led by circumstances into the commercial sides of their vocations, and those few women who, like some men, are natural-born traders. I have only respect for the girl who likes books and so opens a bookshop, or the girl who can draw and becomes an art editor. I admit without question the value of the skillful secretary, and I take off my hat to those heroic women of all ages who pull together the family fortunes by any means open to their hand. What I do call ridiculous is the very widespread belief that a girl who takes a 'business' job, no matter how lowly, is doing something impressive and important, and far outranks, let us say, the girl who teaches the history of the Saxons or who becomes a country minister's wife.

The case is perfectly illustrated by the reference to 'Blank's' made by our little blonde. A year or two ago it was widely reported that a certain smart department store in New York would accept as new clerks only college graduates or girls in touch with the social register. And the implication was always 'How nice for the colleges! How nice for Park Avenue!' It was never 'How nice for Blank's!' If the story was true, — and to some degree it probably was, — it argued well for the sagacity of the storekeepers, but what an appalling idea of a college education! Imagine the uproar if the Bluebird Bus Lines should advertise, 'All Our Drivers Are Yale Men,' or if Roxy should attempt to recruit his ushers from the Racquet Club. It is still taken for granted that boys do not go to Harvard to become chauffeurs or gigolos. Why, then, should girls go to Wellesley to become cloak models or lingerie clerks?

Well, of course, they don't. In reality the incident illustrates not the manner in which women undervalue education but the manner in which they overvalue the importance of business — any business at all. Even at this late date women in business are apparently like men in a mining camp. The humbler the job, the greater its *éclat*. If a girl of good education takes a job selling buns in a bakeshop it is applauded as an indication of her enterprise and lack of nonsense, but if a boy of the same standing were found selling cigarettes in a tobacco shop it would lead to the conclusion that he was not very bright.

It is easy, I admit, to understand why most girls are fascinated by the idea of business; why, indeed, many of them still like it after a year or two of experience. If one does not have to worry about raising the pay roll or the interest charges on the building, most businesses are fun. To step into a well-run office on a pleasant morning is, to almost anyone, as stimulating as going back to the routine of a regiment or a school. Furthermore, after the fold-erols and the mawkishness which are still apt to surround most of the older occupations for women, the brisk masculinity of an office seems like meeting life on honest terms.

As a matter of fact, however, is it not sometimes dodging life rather than meeting it? When a girl of real capability — even if it is only social or domestic capability — takes a commonplace job in a routine business, is it not possible that she is unconsciously evading some better way of life? Under the sanction of the great god 'Business,' is she not shutting her eyes to some nearer vocation which, in the end, would be both more profitable and more honorable, but which, at first, would demand much more from her patience and her powers?

It is far easier, for example, to file letters in an office or to check samples in a shop than to go through the drudgery of a young teacher's life, but certainly to find one's self a college professor at fifty would be more satisfactory than to be a silk buyer at Scheinfelt & Dubie's. One might even venture to guess that a girl of good background who stayed right at home, among cultivated people, learning to read good books, follow some sport or hobby, and respond intelligently to the humors of social life, would, in the end, be more of a person than a girl who was cemented too early into the catch jargon and limited outlook of the business world. To mention nothing else, such a girl would be much more likely to marry solidly or even brilliantly, and the fact that her marriage might come rather late in life only shows the nature of the problem. I know four sisters, daughters of a country lawyer of only moderate and local prominence, who did not leave their native village until their late twenties or early thirties, but yet made their home both so sprightly and so unusual that eventually all four married either wealthy or distinguished men. Individually and collectively they now all enjoy lives of far greater color and interest than probably would have been their lot if they had taken 'jobs' or even set themselves deliberately at 'careers.'

IV

Undoubtedly one would not have to dig very far to discover that the whole question still comes back to those greatly misunderstood words 'dependence' and 'independence.' To be sure, one cannot imagine a modern girl using the once traditional argument, 'I could never bear the idea of being dependent on a man.' On the con-

trary, modern maidens seem to find very amusing the idea of being, in one way or another, dependent on a man, implying, of course, that the man is really dependent on them. Nevertheless the idea still persists. If it is not a distaste for being dependent on a husband, it is a dislike of being dependent financially on the caprices of Aunt Susie, of being dependent socially on the neighborhood Smiths and Joneses, or of being dependent intellectually on the resources of the village rector.

But possibly women are now beginning to realize that the business world, like any other world, is populated very largely by Smiths, Joneses, and even Aunt Susies, and that a mind which rebelled at the limitations of the village rector would find little greater stimulus in the conversation of the average sales manager. It is difficult to see, in fact, just why there is any greater degree of dignity or independence in being charming to stuffy old ladies in Madame Vivienne's dress shop than in being charming to similar old ladies at Aunt Susie's dinner table. And when, as frequently happens, a girl is employed deliberately for the purpose of preying on her social acquaintances, the question of her dignity and independence becomes a very doubtful one indeed. It is, perhaps, a cold way to put it, but even a business man would admit that being a niece to Aunt Susie would be a more promising career than being her milliner.

V

'But,' cries a chorus of indignant young ladies, 'what would you have us do — just hang around home all our lives?'

That is, I admit, a very difficult question to answer, because I have only to turn back the years to remember that when I myself graduated from

college my one firm resolve was *not* to 'hang around home.' Yet I did hang around home, my parents' home, until I was thirty-one years old, and discovered to my astonishment that the years grew increasingly pleasant as they passed. For one thing, it is not sufficiently realized that, if one uses the same tact and tolerance that would be required elsewhere, the life of an adult in any household is a totally different thing from that of a child in the same household.

The trouble is that we always argue these things by extremes. We see some keen, clever woman who has gained a high place in business and contrast her case with that of a sad-eyed spinster who has been dragged into middle age at the heels of a whining mother. We overlook, on the one hand, the hundreds of weary, spiritless women who can be found in subordinate posts in almost any business. We overlook, on the other hand, the dozens of women of our own acquaintance who, married or unmarried, have remained in the ordinary paths of private life and yet seem to find their days full of interest and variety.

If you mention one of these to some restless, dissatisfied girl, she will answer, 'Oh, yes, but *she's* an exception. She had a little money —' or 'She has special talents,' or 'She is so amusing that people are always asking her places.' But this is merely another way of saying that the same qualities that bring distinction in business bring distinction in private life. We also forget that home life itself cannot be summed up in any one damning generalization. For every whining, invalid mother or loutish, overbearing father there are, in these modern days, dozens of parents who are still youthful, gay, and sympathetic, and who, if they were not stampeded by the career fetish, would

ask nothing better than to have a daughter remain with them as long as she wished.

The probable truth is that, in voicing their weariness at 'hanging around home,' most young women are diagnosing their own cases more accurately than they realize. A state of mind which can find nothing to do but 'hang around' *anywhere* will not be relieved by a mere change of scene. Rushing into business just because hundreds of other girls are doing the same thing

is, in itself, a form of 'hanging around.' Like all other popular movements, the rush into business was originally started by a few daring and pioneer minds. From many visible signs the time is now peculiarly ripe for another rush, equally original — for some new pioneer to arise and make the novel announcement, 'Unless I can have a genuine career, I am going to start a movement of my own. I am going to revive the quaint old trade of simply being a daughter.'

LATE LOVE

BY PAUL HOFFMAN

I

THE lot of Jacob Gruber was a hard one until he and his wife, Lena, were admitted to the Home for the Aged. It was not the struggle against poverty that made it hard, for when he was idle Jacob was unhappy; it was the ill health and complaining nature of his wife. Lena was a cumbrous woman of seventy who nursed a faulty digestion and countless other ailments of a more recondite nature, most of which she attributed to an uncertain gall bladder. Despite her constant suffering, however, she steadfastly refused to consult a doctor, preferring to experiment with home remedies and the less well-known patent medicines. More than once Jacob had come in tired and hungry from his puttering about the little house and garden, or from doing one of the odd jobs for which his friends and neighbors occasionally employed him, to find the kitchen table littered

with dried herbs and cold infusions and Lena standing over the stove peering greedily into a skillet at some unsavory concoction; but not a trace of food was there anywhere, although it lacked but a few minutes of mealtime. And, as many times as he had come upon her in this way, Jacob never wholly got over feeling uncomfortable and wanting to go out again quietly without disturbing her; for when he did disturb her it was always the same. She would start and look up guiltily, first at him and then at the clock.

'Ach, Jake, you here already so soon again!' There would be a note of hurt, almost of accusation, in her voice. 'My, my, it seems like I only just finished the breakfast dishes, and here it is time for dinner!'

The alert and strange look would have died out of her eyes by then, and she would press the tips of her stubby

fingers between her breasts and the muscles of her face would sag.

'*Ach, Jake,*' she would begin in a wheedling voice, 'can't you find something for yourself this noon, and to-night I get you something good what you like?' Her fingertips would press in harder against her midriff. 'I guess I don't eat anything myself. It's that gas again — it lays like a stone in my stomach.' She would wave the tiny spoon toward her brew. 'I think maybe this, it bring it up. Only I can't leave it now or it all boils away.'

She would look pleadingly at Jacob then, and he would take off his cap wearily.

'All right, Lena,' he would sigh, shaking his head a little, 'you go ahead. Don't you bother about me; I find something.'

Lena's gratitude would be almost breathless. 'And you wait, Jake, you see what I get you for your supper — something good what you like!'

Jacob would smile wanly and nod his head skeptically and go about preparing his own dinner, but Lena would have turned back to the stove, fluttering over her heal-all, making up for lost time.

II

When Lena got into the Home, she had to content herself with patented products, because the matron would not allow the inmates in the kitchen, nor would she have any surreptitious cooking going on in the bedrooms. Lena did not dare, either, to enlarge too much upon her afflictions in the matron's presence, else then surely a doctor would have been called in and everything would have been up with her ill health. She had to keep her bottles carefully concealed, too, for the matron was a progressive woman who believed only in authorized diagnosis and prescription. It was hard in a way

for Lena, but there were compensations in this new life that more than made up for slight inconveniences. Here at the Home she had no duties beyond making up her own bed and Jacob's in the morning and keeping their room reasonably neat and occasionally helping to dry the dishes. And there were several congenial and trustworthy women among the inmates who would listen attentively and sympathetically while Lena sat with folded hands retailing — in the matron's absence, of course — the woes of a delicate constitution; while at night there was always Jacob to slap her back gently when she was 'distressed.'

At first Jacob did not much favor the idea of going into a Home for the Aged. After all, even if Lena was seventy and not so well any more, — although she had been ailing ever since their first child was born forty-four years before, — he was only sixty-eight and had never felt better in his whole life. And, if he did n't have steady work any more, they owned their own home, which he had worked so hard to make attractive and comfortable with a glassed-in porch and a flower garden; and he could raise enough vegetables to last them the year round, what with Lena putting up bit by bit every day during the summer; and his small savings account, augmented now and then by a gift from the children as they could spare it, took care of the rest. Then there were his odd jobs that brought in enough anyway to keep Lena supplied with her bottles and drugs and medicinal herbs. And now he must give it all up — sell everything and turn over the proceeds to strangers, and just as he was thinking of buying a few chickens, too! But it was a new Home for the Aged, modern and up-to-date, and Lena could talk of nothing else but being admitted to it. The children backed her up, too, saying

over and over again that it would be all for the best, that it would ease their minds to have Mama and him permanently taken care of.

'But we are all right, Mama and me, as we are,' Jacob would argue. 'We got enough; we ask nobody for nothing.'

His oldest daughter, Hedwig, would sigh then and spread her hands and lift her proud shoulders and look helplessly at her mother. Zella, the youngest, would intervene in her soft-spoken way; she was Jacob's favorite child.

'Now don't be mulish, Papa,' she would begin with a little laugh, 'and listen to reason. You know how you used to scold us for not hearing everything out.' She would lean forward and take his hand or stroke the back of his head. 'There in the Home you and Mama will have nothing to worry about, nothing at all ever, and you will be safe for always. Think of it, just! For always, for the rest of your lives!'

Jacob would smile a little grimly and nod his head in a tired way. '*Ja*, that I know, Zella *Herzchen*, but that is not living — to be so safe. That is only an easy way to die!'

In the end, however, Jacob was defeated, as he always had been, and Lena and the children won out.

III

Once the unpleasant business of parting with his possessions was past, however, and he had accustomed himself to his new existence in the Home, Jacob began to enjoy life and to know it as never before. He was still his own master for the most part; he could work or be idle as he chose — there were more than enough odd jobs about the institution for anyone as handy as he. Except in the night he was fairly free now of Lena's complainings. And, best of all, living in a small community

close to people of the same age made for sociability, a thing which hitherto he had rarely known and therefore but vaguely missed.

The Home was in the country, with a small farm attached to it and acres and acres of woodland. That, perhaps, made Jacob happiest of all, because it brought back his youth in Germany and the almost forgotten associations of those remote and simple days before his father and mother had forsaken their dark-soiled fields to come to America. He was always puttering about the outhouses, putting up a shelf here or repairing a hinge there, and in the spring he helped with the planting, and with the harvesting in the fall. There was nothing to which he could not turn his hand; and when the Overseers came one day on a tour of inspection, and inquired about all the unauthorized improvements and were told that Mr. Gruber was responsible for them, they were all very pleased.

After that everyone treated Jacob with even greater respect, even the awe-inspiring matron. That made Jacob expand and assert himself, — for the first time in his life, really, — and he began to feel freer and less helpless than ever before. His appetite improved, and now he could always be sure of having his meals on time, and very good meals they were! He was putting on weight, too. And as for sleeping, sometimes Lena had to worry along in the night without his aid, for they slept in twin beds now and she could no longer prod him without getting up, and getting up was almost always too much of an exertion for Lena.

Jacob was wise, though; he did not allow himself to become tied down or responsible for any but the most negligible tasks. Now that he had tasted the fruits of freedom, he meant to keep part of himself and of his time

always private and apart for their enjoyment. So every day, with no regard for the weather, he explored the woods behind the Home, where the gentle silence, broken only by the wind and the birds, at once soothed and stirred him. At first, because real woods were unfamiliar to him, Jacob felt oppressed and timid in their cool gloom, and the silence seemed heavy and foreboding; the darting of a partridge or a pheasant startled him nearly to the point of flight; and the close-grown trunks were formal and unfriendly, resentful almost, not intimate and full of welcome like the open, sun-drenched fields. But as he went back time and time again and grew accustomed to them, he no longer shrank from them, for he realized that they were not really formidable, but just dignified; and he began to feel himself more of a man in their presence, to grow bigger somehow, to be filled with a vigor that was almost daring, and with deep unspoken thoughts.

When he came back in the early evening from his rambles, so full was he of what he had seen, and especially of what he had felt, that he must seek out someone and unburden himself; for this fullness was too much to bear alone. And, since there was no one nearer to Jacob than Lena, he sought her out and strove to unloose upon her the hurting plenty of his heart and spirit. But as he opened his lips his tongue clove to the roof of his mouth, and there were no words in his brain. A burning radiance seared him inside until it seemed to him that everyone must see it in his eyes and partake of it there, yet Lena looked at him dully as always; and Jacob was helpless and humbled in that moment. Then suddenly he took heart, remembering that, if a man cannot speak, at least he must feel; so he sat down beside Lena and took one of her hands between both

his own and pressed it lightly and tenderly. Lena's eyes widened to a stare.

'Jake Gruber, what's the matter with *you*, then? Why now, all of a sudden, this holding my hand?' She drew away from him and laughed a little in her consternation.

Jacob passed one hand sheepishly across his eyes. '*Ach*, I don't know, Lena, I felt —' he faltered.

'*Ja*, you *felt* — well, that was all over a long, long time ago!' She withdrew her hand and stroked it as if his touch had soiled it in some way. 'Now you pull yourself together and go upstairs and get me my capsules — only don't let *her* catch you.' Lena nodded slyly in the direction of the matron's office.

Jacob rose, glad of this opportunity to escape from his wife. 'Maybe I am getting a little childish,' he thought as he mounted the stairs, but he felt somehow that he was only growing wise.

After that Jacob was careful to restrain his feelings, powerful and deep and conflicting though they were, for he was by nature shy, and if Lena took the trouble to rebuff him, then he could not bring himself to talk to anyone. Sometimes in the past he had confided in Zella about little things, but never about anything so big and hard and impractical as this, his new joy. She had always been kind and understanding at such times, so he thought he would try her again. He took her aside one day when she came out to the Home to make her fortnightly visit. She held his hand all of her own accord and that made it easier, so that with her he even found he could say something, simple and inadequate as it was. As she listened, though, perplexity kept growing in her face and she stroked the back of Jacob's hand in a way that made him uncomfortable; and after-

ward, when he had quite finished, she linked his arm through hers and took him back into the sun parlor where Lena was.

'Did you know, Mama,' she began, and there was a faint suggestion in her voice of mingled amusement and concern that Jacob did not like, 'did you know we got a poet in our family?'

And then, in the autumn of the second year of Jacob and Lena in the Home for the Aged, Miss Rachel came.

IV

Miss Rachel Ordway was sixty-seven, and a lady in every way. She was one of those people about whom others say, 'She has never had any life of her own, you know' — and it was true; she had n't. The youngest of a large family of handsome and popular brothers and sisters, she had been the plain one. She lacked even the distinction of ugliness; she was just plain. So when her sisters were having their many beaux and going to parties and getting married, and when her brothers were sowing their wild oats and getting married, too, Miss Rachel sat at home and read aloud to her father and mother and did exquisite needlework and wrote countless letters and learned to be useful.

Then, when the last of her brothers and sisters had been well married and she was left alone with her father and mother in their big house, one day Miss Rachel's father went out into the barn and hanged himself. It had taken all he had, and more besides, to marry his children so well. From that moment life started in to be hard for Miss Rachel, and to become increasingly hard every year until she was admitted to the Home for the Aged. To be sure, as long as her mother lived — and she lived almost forty years after her husband's death — they managed

to get along simply and frugally on some money her mother had of her own and on what they were able to realize from the sale of the big house and on the contributions made from time to time by the married children. Soon, however, some of them began to see that they had not married so well after all, and they could spare very little; and then some of them died and their families forgot all about Miss Rachel and her mother; so that when at last Miss Rachel's mother died, Miss Rachel was quite relieved, because for a long time she had seen poverty coming. She found herself some employment as housekeeper for an old man who had no one in the world. Miss Rachel was quite happy and content in her new life, but before long her old man had to die, too, leaving all his money to the Odd Fellows.

When Miss Rachel looked for another job, she could not find one because everyone thought she was too old to be able to work any more. That hurt Miss Rachel, because she had never before thought of herself as old and because she was strong and willing and gay in her mind. Her brothers were all dead now, and only her oldest sister, who lived in Seattle, was left, but she was hard pressed, too, and thinking seriously of going into a Home. So Miss Rachel looked helplessly about her, struggling the while against defeat, until at last she made herself recognize her predicament and gave in and placed her application at the Home for the Aged. Fortunately for her, there was a vacancy almost at once, and in the autumn, feeling low and humbled in spirit, she entered.

Miss Rachel was not very enthusiastic about her new life in the Home. Most of all, she did not like the inactivity of it. If she could only have been the matron with something to do all the time, it would have been very

well, but the enforced leisure of the women inmates irked her, lady though she was. Leisure was a worthy and desirable thing — Miss Rachel had always conceded that; but it was what you were able to do with it that mattered most, and the facilities of the Home for indulging Miss Rachel's conception of leisurely privileges were inadequate. Of course, she could read and take short walks and listen sometimes to good music over the radio, but she had no one to talk to, and talking, according to Miss Rachel, — really talking and saying something, — was more valuable than anything in the world. And there was no one at the Home who was equal to her kind of talking, Miss Rachel admitted frankly, not even the matron.

In short, Miss Rachel was a snob, — she had owned up to that long before, — but she was not the kind of snob who consciously condescended to people or snubbed them. On the contrary, those who were not her equals liked her immensely, and in their dealings with her they had always found her generous and considerate and friendly. The trouble was that all the inmates of the Home seemed to Miss Rachel to fall far short of her standards, so that anything more than mere acquaintance with them bored her; and, since she had no work to do, she was lonely.

V

Because the Home had been but recently founded and, owing to inadequate means, had not yet been completely furnished, its inmates had been permitted to bring in with them a few of their choicer pieces of furniture that would help in outfitting the living rooms. The Overseers preferred to have only the more practical pieces, like comfortable chairs and sofas and tables and bookcases, but occasionally

a concession was made to sentiment and something quite useless and only decorative was allowed to come in. It was just such a concession that permitted Miss Rachel to bring with her an exquisite old music box, together with more than half a hundred perforated metal disks. Miss Rachel prized it highly, for it had been in her family as long as she could remember and its clear thin music had always been associated in her heart with the gay things out of the past.

The music box did not arrive from the storehouse in the city until several weeks after Miss Rachel had come to the Home to live, and on the evening after it had been permanently installed in one corner of the main living room all the inmates came in after supper and examined it. Miss Rachel stood modestly by and watched them and listened to their admiring comments, and most of them *were* admiring, for the music box was a very beautiful piece of craftsmanship.

At last someone among them looked up and asked Miss Rachel if she would n't play something for them, so she came forward and looked through the disks and chose 'The Beautiful Blue Danube.'

As the delicate peal of the music shot out and across the room and then unfolded itself like a silver fan, everyone sat down and listened self-consciously. Miss Rachel remained standing in front of the music box; her small figure swayed a little with the lift of the waltz melody, and at the corners of her demure mouth was a smile just beginning.

Thus a few minutes passed, and then, starting out of her reverie, Miss Rachel turned round and looked at the faces of those who were seated. At sight of their deep, serious listening, her lips parted and she broke out in a bright, unconscious laugh.

'But this is a gay piece!' she cried in her young voice. 'It's meant for dancing!'

The encircling faces were startled and embarrassed. One of the women stirred uneasily and exchanged a meaning glance with Lena Gruber.

'Did you hear me?' cried Miss Rachel, and her eyes were shining. 'Dancing! Surely someone here can still dance.'

Now all of them shifted in their chairs, and someone coughed, and an old man cleared his throat, and Lena looked at Jacob.

'My husband, here,' she began, and looked back at Miss Rachel, 'he was a good waltzer once.'

Miss Rachel darted forward and seized Jacob's hand and pulled him up out of his deep chair.

'Then he must dance with me!' She spoke excitedly, and then, remembering herself, lowered her voice and turned toward Lena: 'Or with you, perhaps — yes?'

'With *me*?' Lena threw back her head and laughed ironically. 'One step only and I would be dead standing up! With me — *ach ja!*' — and she laughed again.

Jacob was half standing and half sitting, and his face was twisted and red with shame. He kept his eyes lowered.

'*Ach*, Jake, go on!' urged Lena, bending forward. 'Go dance with the lady — you say always you are so young!'

Someone applauded and Jacob looked up at Miss Rachel; there was something in her eyes that almost frightened him, it was so desperate. So pleading, too, and yet so imperious that without knowing quite what was happening he stood up very straight and put one arm deliberately around Miss Rachel's waist and took her hand firmly and began to dance.

VI

A few days later Miss Rachel, muffled to the ears in an old mackintosh, was taking what she called her 'constitutional' along the broad verandah of the Home when Jacob came out, also muffled up, for his daily walk in the woods. They greeted each other pleasantly and Jacob started down the steps toward the side lawn.

'Off for a walk, too, are you?' Miss Rachel called out after him.

Jacob turned and stood still and nodded. '*Ja*, I go every afternoon to the woods.' He paused, and added wistfully, 'It's nice in there.'

'It must be,' sighed Miss Rachel. 'Now especially, with the leaves turned. I wish I might walk there, instead of back and forth and back and forth across this porch.'

To Jacob there was something almost desperate again about Miss Rachel when she said 'back and forth and back and forth'; he dug his hands deep into his pockets and studied the toe of one of his heavy shoes.

'Well,' began Jacob shyly, 'why don't you?'

'Oh-h, I'm not used to the woods,' laughed Miss Rachel, 'and I guess I'm afraid I might get lost — or something.'

Jacob looked up at her intently. 'I don't think it, Miss Rachel, I don't think you would get lost, but — but if you are afraid at first, you —' Jacob hesitated and then blurted out, 'You could come along with me.'

Now it was Miss Rachel who thrust her hands deep into her pockets and surveyed her stout high-laced shoes; then she looked at the windows of the main living room where all the old ladies were sitting and being dull.

'Thank you,' she announced decisively, and followed Jacob down the steps. 'I will.'

If the woods had been an exciting experience for Jacob before, alone by himself, now with someone beside him — and someone who was a little timid and unsure of herself — they were doubly so. But they were exciting now in a different way. No longer did their silent dignity rush in and seem to submerge him, for now, somehow, he was not just taking in but giving out, too. It was as if the woods spoke to him in a new and strange language that he had learned a little of and so could translate in part. No longer was his fullness more than a pleasant hurt inside him, and his joy was deeper than ever before.

For Miss Rachel, trying gallantly to keep pace with Jacob's unconsciously long steps, this first real walk was a mingled experience. As with Jacob in the beginning, real woods like these were something new and unfamiliar and vaguely terrifying; they were something to live up to, no matter how grand a person you might be, and these many isolated years Miss Rachel had found little enough to live up to. She saw now that it had been demoralizing not to have enough things and people to live up to, that it had, all unawares, slackened her standards and altered her sense of values. She wondered why it was that, as she and Jacob penetrated more deeply into the still dusk of the crowded trees, she felt an urgent desire that was almost panic to turn back; and she wondered, too, why it was that, remembered from the depths of these lonely clearings, the Home and its unexciting life seemed desirable and inviting. And then, because Miss Rachel never shirked thinking things out for herself, she came by her own reasoning and knowing to the truth: that life behind her at the Home was easy and effortless, and therefore boring; while here, to understand and grasp this splendid mystery took hard

work — hard work of the muscles and of the mind, of the striving spirit and of the heart.

They had come in their swift walking to a fallen log across the path, and Jacob turned to help Miss Rachel over it. She lifted her small face upward to him questioningly, — Miss Rachel had forgotten about being helped, it had been so long since those days, — and her seamy cheeks were flushed and her lips were parted from her hard breathing. Jacob, perceiving her tiredness, stayed her with a gentle gesture from mounting the log and motioned her to sit down upon it instead; his eyes were guilty and smiling.

'*Ach*, Miss Rachel, I guess maybe I walk you too fast, heh?'

Jacob lowered his glance and looked apologetic.

Miss Rachel laughed and tried to catch her breath to reply.

'No, Mr. Gruber, no — honestly you don't!' gasped Miss Rachel, and her eyes filled with tears and she buried her face in her hands and began to cry.

Jacob's eyes widened with concern, and he sat down beside her. '*Ach*, what have I done, Miss Rachel, what have I done!' Jacob was close to crying himself. 'Why — why did n't you say something to me, why — ?' Speechless, he groped for one of Miss Rachel's hands and struggled with the glove on it, and when at last he had got it off, he stroked the back of her hand with feeling.

Miss Rachel stifled her crying then and pressed Jacob's hand hard and looked at him through her tears. 'I — I'm sorry, Mr. Gruber,' she sobbed, 'I guess I felt —'

'*Ja, ja*, I know,' said Jacob kindly, and he could not take his hand away. 'I, too, I feel sometimes alone.'

After a little while, when Miss Rachel had dried her eyes with her free

hand, they went silently back, and all the way to the edge of the woods they held each to the other's hand and were afraid.

'You come maybe to-morrow again?' asked Jacob hesitantly as he took his leave of Miss Rachel to go to the barn and help with the milking.

Miss Rachel nodded her head quickly without looking at him and buried her chin deep in her coat, then walked swiftly back toward the Home — and Jacob knew she was crying again.

VII

The next afternoon Jacob sat a long time in his room before changing into his warm clothes and heavy shoes; he was perplexed and worried. He was perplexed because he could not make up his mind whether these new and unaccustomed complications that had come into his still, uneventful way of life were real and trustworthy or whether they were, as Lena and Zella doubtless thought, only the indications of approaching senility. He was worried because, now that Miss Rachel had come to participate in them, they must of necessity become graver by reason of their tangibility. Deep within himself, however, there was an unwavering conviction of the essential rightness of what was going on, and that now, late as it was, the pattern of his fulfillment was being accomplished; but could he ever convince those others to whom this fullness had never revealed itself? Jacob was doubtful, and he had to acknowledge that, in the eyes of all save Miss Rachel, so long as he continued in this new and hard process of realizing dignity and selfhood he must always seem a sentimental dotard, and that this new-found, swift-grown understanding between another and himself — and that other a woman — must remain for the rest of his small

world a secret. But secrets, to Jacob's way of thinking, had no place in truth.

The walk that afternoon was quiet and slow and friendly, so far removed from the memory even of yesterday that Jacob began to wonder whether his ponderous worry and perplexity had not been unnecessary. He and Miss Rachel were just one old man and one old woman out of several who just happened to enjoy a walk in the woods of an afternoon, and who, instead of going each alone, had availed themselves of the comfort and conversation of each other's company. That thought was a relief to Jacob, yet it made him feel empty, too, and aimless.

When they reached the fallen log, it was Miss Rachel who detained Jacob and indicated that he should sit down. They sat in silence for many minutes, one at each end of the log, looking before them with quiet eyes; presently Miss Rachel turned and looked kindly toward Jacob.

'Mr. Gruber,' she began in a clear, low voice, 'I've done a lot of thinking since yesterday.'

Jacob, without looking at her, nodded his head slowly.

'Maybe because I cried yesterday you thought I was unhappy. . . . Well, I was n't. I cried really because I was happier than I can ever remember.' Miss Rachel looked down at her gloves and was silent for a little. 'I found something yesterday that I looked for long ago, and because I could n't find it then I thought it did n't exist, so I guess I just forgot about it. Of course, somewhere inside of me, way down deep, I still must have known that it did, but so many years went by that I seemed to myself past the time for finding it, and I suppose I stopped looking. It was not unhappiness, Mr. Gruber, that made me cry yesterday; it was the shock of finding something.' Miss Rachel laughed a little. 'I don't say it

very well, I know, but do you understand me a little, Mr. Gruber?’

For answer Jacob looked full at Miss Rachel and smiled, and his face was lined with worry again, but his emptiness was filled.

‘Because I’ve found it now, and because,’ — Miss Rachel hesitated, — ‘well, because we have n’t either of us got such a long time left to enjoy it, I for my part don’t mean to give it up!’ Miss Rachel tossed her head, and her thin pink nostrils fluttered with the quickness of her breathing.

‘I, too, I don’t give it up, Miss Rachel!’ Jacob rose excitedly and came over to where Miss Rachel was sitting.

‘Only we have to be careful, Mr. Gruber,’ said Miss Rachel, ‘or there is bound to be talk, especially with your wife here.’

Jacob shook his head and frowned.

‘I know,’ Miss Rachel answered his unspoken objection, ‘there should n’t be, of course, but all the wide world lies between *should* and *is*.’

‘But, Miss Rachel,’ pleaded Jacob, ‘where *can* we go, what *can* we do?’

Miss Rachel looked up at Jacob in his helplessness.

‘But I said, did n’t I, that I’d done a lot of thinking since yesterday?’ She took his hand and drew him down beside her. ‘Now you know as well as I do, Mr. Gruber, that these woods would stand a lot of cleaning up.’ Miss Rachel’s voice was businesslike and full of energy. ‘It would n’t be a bad idea, either, to thin out some of these paths and maybe cut through a few new ones — you know, just in case there *is* somebody who likes to walk and still can.’ Miss Rachel winked mischievously at Jacob. ‘Well, you’re the man to do it, are n’t you? And surely no one will stop you. Is n’t the matron and are n’t the Overseers always crowing over “Mr. Gruber’s improvements”?’

‘But, Miss Rachel,’ asked Jacob dubiously, ‘where do *you* come in?’

Miss Rachel laughed in her warm feeling.

‘You may know the woods, Mr. Gruber, but you don’t know people very well, I’m afraid. Why, I can still go walking, can’t I? Sometimes I will walk in the open and sometimes I will walk in the woods — but mostly in the woods, of course, because there is more shelter here and it is easier going and, oh, for ever so many reasons.’ Miss Rachel looked meaningly at Jacob. ‘But you will be hard at work, so that people cannot find nearly so much to talk about, can they, now?’

Jacob’s eyes were shining; already he was making plans.

‘And then,’ Miss Rachel went on, ‘if I felt up to it, I might help you a little now and then — you know, gathering up the fagots and the lighter stuff.’

Jacob nodded his head vigorously. ‘*Ja*, I know, I see now!’ He took Miss Rachel’s hand and looked intently into her eyes. ‘It makes no matter what we are doing — it is only so we are not always alone.’

Miss Rachel bit her lip and pressed Jacob’s big hand with her small one. ‘We’d better go back,’ she said rising, ‘or maybe I might cry again.’

VIII

The long winter passed swiftly. The work in the woods went all too fast and the walks in the woods were all too few for Miss Rachel and Jacob, but they lived richly in their activity and were wise to know their joy with no thought for its lasting. And when at last the spring came, Miss Rachel and Jacob had shaken off the long, lonely past and had closed their eyes tight against what was bound to come too soon; the present was all they could manage. Jacob

thought now of Lena and her crotchets as of a child long and irretrievably spoiled, and treated her kindly, and Miss Rachel had become the best-loved inmate in the Home for the Aged, for everyone felt in her presence that he was more than he really was. And then the shadow of spring advanced upon this joy.

'I don't like to say it,' said Jacob one day to Miss Rachel as they stood together feeding a great bonfire of fagots and dead leaves, 'I don't like even to think it, Miss Rachel — but soon it must be all over, no? Then comes the planting and the farmer, — he will need me, — and all summer we can have no fires —' He trailed off.

Miss Rachel did not reply, but stood looking into the heart of the flames.

Then, early in March, Miss Rachel had word that her sister in Seattle had died. All winter she had been on the waiting list of the Eastern Star Home, but there were no vacancies in all that time and she had been twelfth on the list. Miss Rachel was shocked by the news of her sister's death and kept to her room for many days, her mind and heart filled with unexpected memories. Jacob was lonely again in her absence and cut off, and his work went slowly, for he, too, was remembering and the years seemed long and too many. Then the joyous winter seemed only a dream in the long sleep of living, and about him the world was as before, full of a sameness.

Late one afternoon, a fortnight after Miss Rachel had had her sad news, she came again to Jacob in the woods, where in these last days he was reluctantly making an end of his work. Because of the dusk and the quietness of her step on the spongy earth Jacob did not know she was there until he saw the firelight on her shoes. Startled at first, he looked up at her in surprise, and then, when he saw who it was, a

gentleness overspread his features and there was joy in his eyes. In her hand Miss Rachel fluttered a letter, and she seemed nervous and out of breath.

'Miss Rachel!' Jacob rose from stooping over the fire and could say nothing more for the happiness in his heart.

Miss Rachel clutched his arm and looked anxiously about as if someone might have followed her, and when she spoke her voice was almost a hoarse whisper.

'Jacob,' — in her excitement and for the first time she called him that, — 'Jacob, here — this letter!' Miss Rachel found it difficult to speak coherently. 'It is from my sister's lawyer — in Seattle. She left me ten thousand dollars!'

For a long minute Jacob looked at the letter in Miss Rachel's hand and then reached for it and opened it slowly and stooped again over the fire to read it. When he had finished, he refolded it carefully and handed it back without taking his eyes from the crackling fagots and the smouldering leaves. In the firelight his brown beaten face was stunned, and above him stood Miss Rachel, motionless and pale; and their hearts were filled with the same wonder.

A few nights later, after Lena was in bed and Jacob had put out the light, Jacob sat down on the edge of Lena's bed for a few moments before getting into bed himself.

'Lena,' he began, and the darkness gave him daring, 'what would you do if I died, what?'

Lena heaved her great bulk on to one elbow. 'Ach, Jake, what next? It's you what better go and see a doctor!'

Jacob chuckled. 'No, Lena, honest now — how would you feel?'

Lena lay down again; she had a

cram in her arm. 'Well, *Hanswurst*, how should I feel, what should I do?' She drew the covers up around the back of her neck and burrowed her head deeper into her pillow. 'I feel bad for a while and then I forget and get over it — what else, then?'

Jacob was silent for a moment. 'And would n't you ever remember again, Lena?' he asked finally.

'Not so like you mean,' said Lena firmly, turning her head a little toward Jacob. 'That only makes it hard all over again. Now go to bed and stop your foolishness or you have to get me a sleeping pill!'

Jacob got up then and climbed slowly into bed, but he did not go to sleep for a long time.

IX

The north-bound express roared through the warm spring night, and in the day coach Jacob turned to Miss Rachel, who was peering out of the window. He held a thick nickel-plated watch in one hand.

'About an hour now, then we cross the border,' he announced cheerfully.

Miss Rachel looked at the watch and spoke barely above a whisper. 'Oh, Jacob, I'm so afraid,' she began for the hundredth time. 'What if they find us?'

'Well, and what of it?' Jacob made his calm reply. 'We are in Canada; they can't make us come back — I don't think it.' He hastened then to

reassure her: 'Anyway, they don't make us; it would be too hard for everybody.'

'But your wife, Jacob?'

Jacob smiled quietly. '*Ach*, Lena, she makes no fuss — this gives her only an excuse to take more medicines!'

They sat for a time in silence, Jacob and Miss Rachel, full of plans and sometimes a little afraid.

'We can live a long time on ten thousand dollars, can't we, Jacob?' asked Miss Rachel finally.

Jacob nodded his head confidently. 'And what you think, Rachel?' he asked, adding proudly, 'You think I can't still earn a little?'

Miss Rachel smiled gently up at him and looked out of the window again. She could see nothing but dark shapes and a light now and then, but she did it because she was sure then that they were moving and on their way. After a time she heard Jacob chuckling to himself and she turned to him.

'What is it, Jacob?' she asked softly.

'I was thinking,' Jacob answered gayly, 'how our names, yours and mine, Jacob and Rachel — they are like in the Bible, no?'

Miss Rachel blinked and cocked her head. 'So they are!'

'Only that Jacob, he had it easy; only fourteen years he had to wait for his Rachel. . . . But this one here,' he patted his chest, 'he waited longer, no?'

AS WE HAVE BECOME

BY E. F. BENSON

I

WHEN any catastrophe, accidental or deliberately provoked, occurs in this most fortuitous world, a reckoning must always follow as to the extent of the damage incurred; and the calculations needed to arrive at that estimate vary according to the magnitude and the complexity of what has happened. In the case, for instance, of a collision between two motor cars, the process is not a very lengthy one. First aid may have to be rendered to their occupants; then claims must be lodged for the damage done, the responsibility for it has to be settled, and in the end some insurance company pays. If an earthquake wrecks a town, or a tidal wave makes invasion of a coast, the computation of loss in life and property takes longer, though in such a case there is no need to settle on whom the responsibility for the disaster rests. If some great financial house fails, the estimate of losses becomes more complicated, since the ramifications of such a business extend in many directions, and the credit of other banks, in themselves sound, may be affected. Even then a few months' work on the part of auditors and accountants will probably be sufficient to arrive at the figures of the total loss.

Nineteen years have now elapsed since on June 28, 1914, a half-witted Serbian boy, Gavrilo Princep, jumped on to the step of the motor in which the

Archduke Franz Ferdinand of Austria and his wife were sitting after their reception in the town hall of Serajevo and fired two shots at them. By consequences as direct as the generations in a genealogical tree, it followed that, at midnight on August 4 of the same year, the time expired by which Berlin had been requested to give a satisfactory reply to the ultimatum of the English Foreign Office that Germany would not violate the neutral territory of Belgium. As far as England — or, indeed, any other European nation — is concerned, we cannot yet form even an approximate estimate of the result of the catastrophe that ensued.

But neither the murder of the Archduke, nor the disastrously premature mobilization of the Russian armies, nor, finally, the British ultimatum to Berlin, was the cause of the war. At most, each in turn was a single lighted match applied, at one point or another, to the vast heap of inflammable material which the European powers had been peacefully piling up for years before. The late President Wilson affirmed that if England, in that week preceding August 4, 1914, had openly declared her solidarity with France and Russia, Germany and Austria would have refrained from making certain moves which, logically, rendered the flare-up inevitable. He may possibly have been right to the extent that war would not have broken

out at precisely that date, but he was quite certainly wrong in supposing that war would have been avoided. For the real cause of it would not thus have been rendered sterile: the piling up of armaments which was already beginning to impoverish Europe would have gone on, and other matches would have been found without any difficulty.

This increase of armaments and the mutual suspicions they raised were the true causes of the catastrophe. To these perhaps we may add the spirit of Prussianism. As long ago as the German-Danish war of 1864, Bismarck had laid down the abominable doctrine that diplomacy and arbitration were obsolete and that blood and iron were the only arguments that could settle international disputes. The taste for blood and iron grew: Bismarck's formula saved statesmen the trouble of thinking, and only entailed vast votes for military or naval programmes. These programmes were issued under the heading of 'self-defense,' but they were nothing of the kind. Their object was not, in the long run, defense, but attack, when any power or group of powers found itself, or thought it found itself, in a position to dictate to others. The formula was put to the supreme test in 1914, and it ruined victors and vanquished alike.

The consequences have been so far-reaching that we cannot yet estimate them, for fresh ones are continually being discovered. First aid, as in the case of a collision between two motor cars, has not yet been adequately administered; and as for getting an insurance company to pay for the damages, the impossibility of that is at last being recognized. You cannot insure for a catastrophe of this sort, for insured and insurers are equally involved, and nobody can pay.

II

Optimists (those dangerous and attractive reasoners) expected a sort of millennium to dawn as soon as the war was over. Prussianism, the arch-enemy, which was in England generally held to be responsible for those four years of savagery, was finished with, and Mr. Lloyd George held out hopes of the Kaiser's being tried at some international bar of justice. For the future, therefore, all other nations would dwell in tranquillity forever beneath their vines and fig trees, with a positive glut of sickles and pruning hooks beaten out of their prodigious armaments. The battleships of useless navies would make winter pleasure cruises in the Mediterranean, and useless guns would be ground down into steel filings to produce blue hydrangeas.

There were, alas, cruel lists of casualties, but even these funereal clouds of fears and mourning presented a silver lining. For every man who had put down his tools to serve his country, and returned alive from the shambles, would have work ready for him. Factories converted into workshops for the engines of war would resume the uses of peace, the huge taxes imposed to pay for the manufacture of them would instantly be remitted, and an era of prosperity would return. Once more we should recapture the stability and security of the Victorian age, with the additional guarantee that Prussia, the great incendiary, was henceforth harmless.

These agreeable prophecies, seemingly logical, did not materialize. Work was not found for everybody; instead, demobilized troops and hands discharged from idle factories gradually formed themselves, without any need of conscription, into a new and weaponless army of three million

unemployed. Instead of a return of affluence, the wealth of the nation steadily and swiftly decreased, while the sense of stability and security, so confidently anticipated, was exchanged for blank misgivings as to the future. We had pulled through the war, but puzzled people began to ask themselves if we were going to pull through the peace.

Optimists seemed to have made a miscalculation. Millions of men who were the producers of wealth in every country had been killed, milliards of wealth had been expended in killing them. Money can be productive, as when a farmer spends it in buying food for his chickens and thereby is the gainer, for more than his original outlay in their purchase and their keep is returned to him in his marketing of fowls and eggs. Money can be unproductive, as when a miser hoards it, or when a nation locks up bars of gold in the vaults of its banks, for as long as they remain there they are no more than earth or rubble. But money can also be destructive of wealth when it is spent on engines of war whose sole use is to kill and to lay waste. All the millions spent on the war were of this destructive sort: the money not only produced nothing, but it vastly diminished the wealth of the world. There was nothing to show for it except havoc and death.

III

Here, then, was one of the consequences of the war which optimists had overlooked — possibly it was the least of them. They had been equally unreckoning of the moral effect of it on those of the generation then beginning to enter manhood and womanhood, on whom the burden and brunt of the war had been laid.

The boys went straight from school

or from their apprenticeship in trade or business to the battlefields. The legitimate expansions and experiences of their early manhood were taken from them and they entered life through a portal of trenches and barbed wire. For no fault of their own, but for the ill will of nations and the jealousies of those who had directed the affairs of Europe while they were yet unbreeched, they were called upon to forgo the rightful heritage of their youth and save their country from destruction by the sacrifice of themselves. Apart from the joys of their age, all boys of any intelligence revel in the expansion of their more solid powers: they have ambitions, and dreams of a great future; they want to get rich or they want power; or they are knocking at the door, already ajar, which opens to them the faëry kingdoms of art and literature. They are eager for life; but it was not the prospect of life that enlarged itself before these boys, but the prospect of death.

They were the scapegoats driven into the wilderness of trenches to atone for the stupidity of their elders. They were the targets put up to prove whether the chemists of Germany or France or England were the best inventors of explosives. With the exception of a few pacifist cranks, they fully and cheerfully, as far as willingness of service went, accepted the necessity which had been forced on them; but many of them, and those the most intelligent, who would otherwise have become leaders in public life, in arts, in inventions, in all the applications of human knowledge that advanced civilization and prosperity, thought a good deal about it, and bitterly resented their fate, though they did not rebel against it. They determined, by a tacit, instinctive agreement, to take whatever chances they could of enjoying themselves without

scruple or restraint. No one knew whether they would ever return again when their leave was over, and they must make the most of to-day because there might be no to-morrow.

The girls were in somewhat similar case. They scrubbed the floors of hospitals or mixed explosives, or sat on stools in offices or labored in the fields, doing the work of those who were absent, and they also made the most of their remissions without regard to anything but the whim of the moment.

Thus a new generation came to manhood and womanhood with a wholly different attitude toward tradition: it was the young who were saving their helpless and muddling elders, and now their elders must sit quiet and do as they were told. Slightly astonished, they did so, but they said to themselves that when the war was over they would resume their old positions and be held in respect again. But they were as mistaken as the optimists had been.

IV

At this point we must draw a distinction between the sexes, though both were equally determined to go their own way. The young men who came back from the war alive and uncrippled had given up these years at the call of either patriotism or conscription, and found, to put the matter coarsely, that their country had no further use for them. The places they had vacated were filled, and they were the first victims of unemployment. Their education, whether at school or in business, or as apprentices or young farm laborers, had been interrupted, and their juniors, just too young to have served their country as they had done, were already of the age they had been when they learned their drill, and were installed in their places. Moreover,

the trade and the output of the country had enormously decreased: daily and weekly, fresh hands were being discharged from factories and businesses, the owners of which had no longer the capital to keep them open, far less to expand them.

Those who returned, therefore, might manage their own pleasures as they pleased, revolting from tradition and authority, but the one thing they could not do was to find work. Colossal and ghastly as the loss of man power had been in the war, the loss of it through unemployment, when peace was declared, was of even greater magnitude. There was a glut of man power running tragically to waste, because there was this dearth of work. So it came about that the offices of the dole, like the recruiting offices at the beginning of the war, were besieged with petitioners. The difference between the two was that every able-bodied young man had been welcome at the recruiting offices, because there was plenty for him to do; now at the offices of the dole his qualifications were far more strictly examined. He was not wanted; there were enough and more than enough able-bodied young men, and his welcome was not what it had been five years ago. Possibly, though it is by no means certain, we have seen the worst of that situation. But it has been a long lane, and it seemed for fourteen years that it had no turning and grew ever more crowded; the tramp of the feet of three million men made it an almost impassable thoroughfare.

V

The case of the young women and girls when the war was over was very different from that of the young men. Like the latter, they had given up, with eager cheerfulness, many of the legitimate pleasures of their years, and

they had acquired, over and above this new measure of liberty, a taste for work. In offices and factories they had taken the place of men, and, whereas men were thrown out of employment in their hundreds of thousands, it is safe to say that female wage earners were far more numerous after the war than they had been before. A perfectly new species of young womanhood had developed, with stools in offices and earned money and (equally earned) latchkeys in their pockets. In their offices they had proved themselves quite as efficient as young men in typing and shorthand; they had a better knowledge of foreign languages, they were more industrious than the majority of male clerks, less prone to forget their instructions, easier to deal with, and less expensive.

And their adaptability was not limited to mere subordinate employments. They had shown themselves during the war to be admirably capable of organization and administrative work, which had hitherto been believed to be quite outside the compass of feminine brains; they could direct and depute, and make the swift decisions that are referred to the heads of departments. The whole status of young womanhood had changed; its recognized range of powers expanded; and the last delusion of Victorian days, already wearing thin, that women were unstable little creatures, incapable of grip or sustained effort, whose practical usefulness was limited to needlework, motherhood, and housekeeping, was blown sky-high into infinitesimal fragments.

This demonstration of the efficiency of women had, of course, been going on before the war, but these years vastly accelerated it. Previously, however, the movement had been retarded by those very women who most earnestly worked for it. Among other equalities with men that they de-

manded was the franchise, and by way of proving themselves worthy to take part in legislative and political functions they had indulged in antics that only proved them worthy to be inmates of asylums for the insane. They had set fire to houses, they had destroyed works of art, they had schemed to kidnap Mr. Lloyd George when he was playing golf, they had chained themselves up to the railings of Downing Street and thrown the keys of their self-imposed padlocks away. (This possibly showed a remnant of proper feeling, and implied a subconscious conviction that they ought to be locked up.) They had gone to prison with the zeal of martyrs, they had subjected themselves to forcible feeding, and, while demanding to be treated like men, raised the bitter cry that chivalry was dead when that request was granted. They had behaved like Bolsheviks in order to get a share in the political direction of their country, and this militant movement had really been a species of idiotic blackmail of which the logic was: 'We will continue to behave like criminal lunatics till you recognize our qualifications to be citizens.' Any self-respecting government must have resisted such lawlessness, even though it thought that women ought to have the vote; to extend the franchise to hooligans as a reward for their hooliganism was unthinkable.

Then came the crash, and just as all the agitation in Ireland, where civil war was imminent, subsided, in order that the whole nation might stand firm and united against the national peril, so the militant suffragettes abandoned their own crusade and devoted themselves to the needs of the country. When the war was over, there was no need for them to renew their violences, since, during those four years, they had shown themselves steadfast and effi-

cient workers, wholly capable of taking up all the responsibilities which had hitherto been considered to be in the province of men alone, and there was no longer any question of refusing them the suffrage.

A limited degree of it was at first granted them, and after a few years they were put on precisely the same footing as men, with the result that women can now outvote men. That was a Conservative measure, brought in by Mr. Baldwin. The Conservatives had been more stubborn opponents of female suffrage than either the Liberals or the Labor Party, and their leaders had supposed that the granting of the full suffrage would confirm and increase their majority. Women would surely be grateful to the government that passed the measure. But precisely the opposite happened, and during their term of office the Conservatives completely lost the enormous majority that they had held in the House of Commons. Whether it was the votes of women that brought in Labor again cannot be ascertained, but the extension of the suffrage was coincident with the surprising defeat of the Conservatives at the next election.

VI

But the winning of the suffrage was not the most important prize that the work of women during the war obtained for them. A far greater victory, a smashing victory indeed, was the recognition that in every branch of human enterprise, save where sheer muscular strength was concerned, they were the equals of men. Obviously it is a gain for a nation to find that its number of efficient workers is so vastly increased, even though there is not work for them, since workers are the foundation of wealth, and out of increased competition arises a higher

standard of skill. In only one branch of the arts and the industries are women still the inferior of men, and there they acknowledge their inferiority. That exception is an extremely curious one. They are nowhere, compared with men, as designers of their own dresses. Psychologists will easily find the explanation of that.

Of all the consequences of the war this proof, this recognition, in England at any rate, of the efficiency of women in the work of the world, and of their power soberly and strongly to shoulder responsibilities, is the only one that seems to be on the credit side. The gain to themselves was even greater, for they became conscious of their own abilities, and now had the opportunity of expanding them by use. Men and women alike, on the whole, prefer working to being idle, for working brings into play energies which it is a pleasure to employ, and which, if unused, ferment into a mere peevish restlessness. The use of one's powers, whatever they are, produces an inward satisfaction in all but the brainless or the constitutionally lazy, and these are a very small minority in either women or men. Girls who had languished in an inert domesticity became entirely different creatures when there was a national need for them to exert themselves; and, having once experienced the stimulus and the fatigue of work, they found the former vastly to outweigh the latter, so that when the war was over they stuck to their posts if they possibly could, or, if demobilized, looked for other employment.

Work, moreover, gave them wages and independence, and innumerable couples and companies of girls took to living together and earning their own bread even when their parents would gladly have had them back at home again, for work had begotten the taste

for work. Marriage ceased to be the only career for a woman, and a new destiny called 'self-expression' was heralded. Old-fashioned folk called it by less edifying names and lamented that girls were becoming terribly unsexed, giving instances. But in the main they were not unsexed at all; they only claimed the right to use the gifts which the war had proved they possessed. Certainly they dethroned the Victorian tradition, which King Edward, modern as he was in many ways, and in his time a notable iconoclast of the social idols which he had been brought up to worship, fully shared. He had always been violently opposed to female suffrage, to the extent of thinking it monstrous that Mr. Lloyd George, when holding office in the Cabinet in the year 1909, had taken the chair at a 'Votes for Women' meeting. The Cabinet was divided on the point, and it was purely a political question, but in consequence of Mr. Lloyd George's action the King said that in the future he would have as little to do with him as he possibly could. He held similar views about the general 'unsexing' of women, which he much deplored. He protested once against eating a dish of venison when he heard that the stag had been shot by a *Diane chasseresse*. . . .

The growing unemployment, therefore, was much more bitterly felt by men than by women. Employment, in those years of war, had increased for women and diminished for men. One bitterness, however, they shared equally, and that was manifested in their common dislike of the generation now growing up and just younger than themselves. These had escaped the toil and the hazards of the war, owing to their juniority, but they had inherited the liberties their immediate elders had won for the young without paying for them by work or by self-sacrifice.

Their elders, in their short remissions from trenches and munition work, had been given unlimited license to amuse themselves as they chose, but the juniors did nothing else. A vague jealousy, as of laborers who had toiled all day, of those who had come into the vineyard not at the eleventh but at the twelfth hour and had received the same wage, may have inspired this feeling; but in addition to that the elders, with sound justification, despised the juniors for what they were. The boys, they said, looked like girls, and the girls looked like nothing at all. They were messy, they were slack, they were epicene, and they were known as the Bright Young People, a definitely post-war product. Lipsticks and powder puffs, cigarettes and cocktails, were their social equipment, and in their rare hours of energy they squealed and had nocturnal treasure hunts and went to dances to which they had not been asked — then fell to yawning again. They were a definite but luckily an ephemeral infliction in social life, and nobody disliked them more than those who were closest to them in point of age. Then somehow they vanished 'like snow upon the desert's dusty face.'

VII

A year or two passed, and it became evident that the cessation of war was not the immediate herald of the millenium. The prosperity that should have returned seemed to be retreating as the army of unemployed grew larger; and, though the expenditure of capital on the work of destroying capital had ceased, there was no remission of taxation, and factories continued to close with the dwindling of trade. The tide of the fortunes of England was still on the ebb, though it had sunk far beyond the low watermark of the Napoleonic Wars, and in these years following 1918

successive governments made no kind of attempt to turn it, but devoted themselves to the interests of their party.

They must have known, Labor and Conservative Governments alike (for the Liberal Party had disappeared in some manner as mysterious as the loss of scent from musk), that the most rigid economy was necessary in order to avert national insolvency, and that the problem of unemployment must be dealt with; but they made no effort to economize, they let unemployment deal with itself, and they did not let the nation know how critical the position was becoming — it would be 'bad form' to express any doubts as to the immortal stability that was the birth-right of England. The huge expenditure on the dole was paid out of borrowed money; there were immense war debts to be discharged to America out of the indemnities England did not receive, and she was living on a capital that diminished year by year. The nation, in fact, became like the paying guest, at extortionate prices, of a landlady who could not pay her rent or her catering bills. She knew these were piling up beyond hope of discharge, and so she passed them on to the new manager. A Labor Government came in in 1924; it was succeeded by a Conservative Government, which lost its overwhelming majority in the space of five years and was succeeded again by Labor. During these years the poverty and the indebtedness of the nation ruinously increased, till bankruptcy was imminent.

Yet, even while the world was beginning to recognize some at least out of the innumerable disablements wrought by the war, the true causes that had led to it were stirring again. Chemists and scientists in a thousand laboratories were at work over lethal mixtures which, in case another archduke

(if there were any left) was murdered, or in case England sent another ultimatum to Berlin, would render the next war infinitely more frightful than the last. New explosives of far vaster power, poison gases of far deadlier potency, bacteria that would spread pestilence among the civilian population, were being ardently studied. The range of aeroplanes was increasing, and these would carry the death bombs of various kinds to the remotest towns of an enemy's country. No longer was there any nonsense about armies and fleets being intended for defense merely and not aggression; these new engines were designed for swift and wholesale destruction. Armies and fleets would soon be obsolete, for they were slow-moving and inefficient weapons of offense compared with the inventions which had only been in their infancy in 1914.

Meanwhile, with inimitable irony, the streets of Geneva were polylingual with the Senators of the League of Nations who met in constant conclave for the establishment of an international Council to whom quarrels would be referred, and who would arbitrate between the disputants. Armaments would be limited; each nation would have assigned to it its quota of battalions and ships of war for its reasonable defense. But how was any council of nations to prevent chemists studying new explosives, ostensibly for the purposes of mining, or to put a limit on the construction of aeroplanes, officially for the conveyance of posts and peaceful passengers, but capable at any moment of being loaded up with a cargo of death? And how could a council of nations, if one state refused to accept arbitration, prevent it instantly putting all its apparatus of destruction in action, well aware that if it lost a moment its antagonist would do the same? After some years (eight

or so) of academic and amiable debate, the Council recognized this difficulty, and began to consider the qualitative as well as the quantitative limitation of armaments. It will take them longer than that to determine how to check the unlimited import into a country of certain chemicals which, when suitably mixed, will make an explosive of which they do not know the formula.

VIII

The English are proverbially a melancholy race when they are engaged in their pleasures, but conversely they are a cheerful race in time of trouble, and they kept up their spirits fairly well during those years of gathering gloom. They did not know all the dangers ahead, for the government kept from them the growing seriousness of the financial position till they were on the verge of bankruptcy, and what worried them chiefly was a general sense of insecurity. Vaguely they were aware that unemployment was increasing, that trade was bad, that expenditure was unchecked, and these and other causes for disquiet made them begin to wonder whether the consequences of the war were not more far-reaching than they had imagined. But, equally vaguely, they supposed that things would get better presently, and they diverted themselves much as usual. For the English public, as cannot be too clearly recognized, hates thinking; it will not think until it is obliged to do so in the presence of an imminent calamity, and then it thinks with a speed surprising in so phlegmatic a nation, and casts politics and parties and internal differences to the winds.

It had behaved like this in the two weeks immediately preceding the war in 1914. Cricket, the outrages of suffragettes, the foul blow which

Gunboat Smith was thought to have dealt Carpentier in their fight, interested the people much more than the dangerous developments of the Austrian ultimatum to Serbia. Indeed, the public knew very little about it, for the government had behaved just as characteristically, and for a fortnight the Cabinet, divided against itself, had been hawking and hesitating, refusing, while the crucial hours slipped by, to take any decisive line. Day by day Mr. Paul Cambon, the French Ambassador, had been imploring them to declare the English solidarity with France, to which they knew they were in honor bound, but he could get no answer — diplomacy on the part of a neutral power might still possibly be effective. It was as if a sundered artery could be staunchd with the judicious application of sticking plaster. Then on Sunday, August 2, the leaders of the Conservative Party in the Houses of Lords and Commons, Lord Lansdowne and Mr. Bonar Law, sent a note to the Cabinet, then in session, pointing out that the honor and safety of England demanded intervention, and that the opposition would support it. Hitherto the government had doubted whether the country would be behind it; but France must be overwhelmed if England stood aloof, for the German navy would be bombarding her Channel ports, and the government made up its mind. The violation of Belgium by German troops gave it the opportunity of a popular gesture, and the ultimatum to Berlin followed. Instantly the country responded. Ireland had been on the brink of civil war, serious strikes threatened, but all internal dissensions ceased.

Exactly the same thing happened in 1931. The Labor Government, and the Conservative Government which it succeeded, had put off framing any policy which might avert bankruptcy,

till the imminence of the catastrophe forced their hands. As in 1914, the safety of the country was at stake. Any measure that made for national economy, they thought, would have been unpopular and would have lost them votes. Party came before patriotism. The cost of living was steadily falling, but sooner than make any diminution in the dole, which was the chief drain on the country's revenues, they drifted and drifted, hoping for a favorable wind. Finally, when disclosure could be put off no longer, they were forced to consider the country, and found, as in 1914, that it was solid behind them. The Coalition Government was formed, in which Labor, Conservative, and Liberal Ministers held office. Economy and the balancing of the Budget were its chief aims, and the first step in the right direction had been made.

IX

Fifteen years have elapsed since the war ended, but it is still questionable whether we yet know the full tale of its

consequences. England has three million unemployed, trade has been lost, a generation of her sons has been lost, and her resources have been vastly diminished. Perhaps she had prospered too long in an existence to which, with the most fatuous pride, her statesmen had alluded as 'splendid isolation.' Never was there a more ridiculous epithet applied to a more pernicious substantive. Isolation, in this world of jostling nations with a thousand strands of interwoven interests, is an impossible condition. No one nation can hope to flourish in self-contained security at the expense of others or without due regard for their well-being.

What England has lost in the war cannot yet be computed; but, however long that bill of detriments proves to be, its total, when ascertained, will be cheap payment for the knowledge that her prosperity depends on the prosperity of others. Many besides her are making efforts to realize that truism, and it is only by their mastering it and consistently acting on it that the damage suffered by them all can be made good.

MARX AND LENIN MADE A PLAN

BY FLORENCE CONVERSE

MARX and Lenin made a plan,
And wished it on the workingman.

They said the workingman should be
The Savior of Society.

They mapped the course he must pursue
And told him they would see him through.

His gentle heart and docile mind
To Revolution they inclined,

And taught him consciousness of class,
And showed him how to rise *en masse*.

And bade him shout with all his might,
'Workers of the World, unite!'

When traitor State and traitor Church,
In Russia, left him in the lurch,

And every Ally let him down,
Revolution came to town.

The Russian Proletariat
In proud class-consciousness begat

The System of the Soviet,
And quite upset the etiquette

Of international relations
Observed among the bourgeois nations.

The U. S. A. mourned bitterly
The insult to Democracy.

And Congress balked at recognition
Of this illicit parturition.

And incidentally insisted
(Though critics called the deal close-fisted)

That first the infant Soviets
Should pay up their prenatal debts.

But Europe and the Orient,
By nature less intransigent,

Pursued a course more lenient
Toward Bolshevik experiment.

Several countries even took
A page or two from Lenin's book,

Adopting and adapting very
Freely, so-called temporary

Measures, makeshift and pragmatic,
(*Italics here, loud and emphatic*)

That set the pace and cracked the whip:
Coercion and Dictatorship.

The Fascist Plan, the Nazi Plan,
The Puppet State of New Japan,

Concurred with Russia, that of course
One brings Utopia in by Force.

But only the U. S. S. R.
Hitched the Workman to her Star.

Only Russia, ringed with hate,
Turned Communist and laughed at Fate.

Only Russia claims to be
For Labor's solidarity.

O Russia, Russia, fie, for shame!
Make good your claim, make good your claim!

How dare you bid the Workingman
Unite? How dare you flaunt your Plan,

When every day you put to Death
A Carpenter of Nazareth?

AT HOME ON THE EQUATOR

Letters from the South Seas

BY HORTENSE POWDERMAKER

LESU, NEW IRELAND
MANDATED TERRITORY OF NEW GUINEA
End of April, 1929

DEAR FRIENDS, —

Finally I have arrived at Lesu, the village where I am to begin my field work. The government anthropologist and another who is working in this area brought me down. We were surrounded by natives as soon as we appeared. I smiled at them and they smiled back. Ongus, the chief, seemed to be a man of intelligence and importance.

There is a well-made 'house-kiop' — pidgin English for the kind of house reserved for government officials when they are patrolling the island. It is raised from the ground, in contrast to the native houses in which the floors are merely the hard-packed earth; has two rooms, a good-sized verandah, and a thatched roof, together with various outhouses for cooking and so forth. It is quite substantial, and much better than I had expected. The government anthropologist had picked up a native servant for me, a woman named Taiti, who will stay until I can engage a couple later.

We spent the first day or two unpacking all the boxes and bales, continuously surrounded by the smiling and curious natives, and the work created several sensations. A ring of safety pins from my sewing kit quite fascinated some of the old men, and

most of the natives saw books for the first time. I showed them the pictures in the anthropological volumes, and they were astounded that there were so many brown-skinned peoples in the world. I told them that when I left their place I was going to write a similar book to describe their customs. They seemed to catch the idea.

The island itself is beautiful beyond words. There is a lovely light on the palm trees at night, and the only sound is the murmuring of the sea. The climate is pleasant enough. My general feeling is that the natives are friendly.

The two anthropologists helped me greatly in establishing my first relationships with the natives, as well as in setting up my household, but after a few days they left me for their own areas. The first evening following their departure I admit that I felt very lonely, and could not help wondering why I had come to the end of the world all by myself. While I was eating dinner, however, Ongus (who knows some pidgin English) brought me a baked taro, and later his wife, Pulong, and daughter, Batu, joined him, and they spent the evening on my porch. They are genuinely fine people, and were so friendly that my sense of loneliness soon left me. But I still feel very much the stranger, and watch my step carefully.

May 11

Here I have been for almost four weeks. My first feelings, I must confess, were decidedly not anthropological. The natives seemed so happy and contented without me that I wondered why on earth I should pester them with questions about what they call their father's sister's son and why they observe this custom and that. Why should I be so impertinent? Why not leave them in peace? These doubts, however, did not last long. I have now only one aim: to find out and record everything I possibly can about this society. So I carry pencil and notebook with me wherever I go.

Sometimes I am overwhelmed by the number of things there are to do. If only I knew the language it would be much simpler. At present I am sweating blood over it. I spend long hours taking down native texts and then translating them with the aid of one of the few natives who understand pidgin English. (Not a soul knows any real English.) I have to dig the grammar out for myself, and there are the most confusing prefixes and suffixes imaginable. At the end of an afternoon of such steady work I am utterly exhausted.

Then, too, I am impatient. I want to know so much. Last week I must have conveyed something of this to Ongus, the chief, who is very intelligent and seems to understand why I am here. He looked at me quizzically and asked if I expected to know everything in less than one moon. At the end of two moons, he added encouragingly, he was sure I should know a great deal.

In my personal relations with the natives I am still feeling my way. I am not quite such a curious phenomenon as I was at first, and I think I am gradually being accepted. I hope later to be taken completely for granted.

May 17

You would have been amused had you been here last night. I had joined the natives around a fire in front of a house close to the beach. They had been telling me about their kin, and wanted in turn to know about mine. Thank God for the family! Being a fundamental unit of society, it always provides a topic of conversation. The natives asked for the names of my relatives, and as I spoke they repeated the sounds after me in unison. The scene was really too funny: with the South Seas pounding at my feet, there I sat under the fire-lit coconut trees while the circle of my black friends solemnly intoned, 'Min-nie . . . Lou-is . . . Flo-rence . . . !'

May 18

They say this is the dry season, but it has been raining all day, as well as most of yesterday and the day before. Ever since I have been here rain has fallen sometime during the night or early morning, but until now not often in the daytime. I am wondering what the rainy season will be like. Fortunately, when the sun comes out there is rapid evaporation and everything dries quickly.

Here's the latest news of social life: I have been going to a dance every night. As you may imagine, the dances of Lesu are quite different from those of New York and London. Only the women take part, and they are practising the rites which will be performed when the moon is full and the young boys are initiated. The men keep far away during the rehearsals. The first few nights I sat by and watched. The moon was new and delicate, the sea dark and noisy, and as the women moved slowly about the fire, singing, I got the 'feel' of the place and the beauty of it. I wanted to join in, but was too self-conscious to attempt it.

Then, a few nights ago, I screwed up all my courage and participated in the rehearsal. There was some gay, good-natured laughter at my mistakes, but soon all was seriousness and I caught on to the step. I rather enjoyed the rhythm of it, and in a matter of this kind it is better to take part than just to look on. The women seem pleased that I have entered into their life. They show themselves very much more at ease with me than before, and I have lost my self-consciousness. I am no longer a complete stranger of another race, color, and culture who dropped in to their village from no one knew where.

May 25

I am developing a passionate fondness for the little details of native life as they recur from day to day. Life here, life everywhere, seems to me to consist mainly in the eternal repetition of infinite details. Climaxes are important only to accent the normal routine.

As I ate my dinner, I was reading some short stories which dealt with special episodes and moments of high tension, and they seemed all lopsided. Novels like *Jew Süß* and *Ulysses* may be boring with their surfeit of details, and most of us find it difficult to get through them, but at the moment I think they are the only kind of novel which approaches the reality of life.

It is this recording of detail after detail, day after day, that now engages me. Nothing is too small to jot down in my ever-present notebook — how a woman holds her baby, how much taro a man ate for breakfast, and so on.

June 7

Do you know that I have been married and divorced? And, what's more, that I 'rausched' (pidgin English for 'dismissed') my husband because

he would not work and was just a lazy good-for-nothing?

This sudden change in my social status was quite necessary, I found, in native society. Here there are no unmarried women. Girls take husbands as soon as they reach puberty, and the very concept of an unmarried woman is quite incomprehensible to these people. So I had to concoct a story to account for myself. I had recently learned that laziness is the principal cause of divorce among the natives, and, by giving that reason, I gained considerable prestige.

'Ah,' remarked my native friends, 'just like us!'

July 1

The place has been in a turmoil the last few days. Sinbanimous, my cook-boy, went out hunting and shot a totemic bird — a terrible crime. He had admired its feathers, which he thought would make a nice headdress for dancing, so he shot it, not knowing that it was a totemic bird. (He comes from another linguistic district, at the northern end of the island.) An old man who is much looked up to as a stickler for the conventions saw the dead bird and flew into a most terrible rage, whereupon Sinbanimous dropped his booty and fled into the bush.

The first I knew about it was when the old man led a large crowd of excited natives to my door. Everybody was talking and shouting at once, and there was such a hubbub that it was some time before I could make out what the trouble was. I was in a delicate position. It was with my gun that the bird had been killed, and I did not like to desert my servant. On the other hand, if I took too much responsibility for the act I might lose the good will of the natives. So I said very little, merely pointing out that Sinbanimous had shot the bird in igno-

rance, not knowing what he was doing. Fortunately, Sinbanimous is popular, and many of the people accepted my explanation, particularly the younger men, but the old man who had stirred up the excitement was not easily pacified. At length, however, after he had vented his feelings in loud talking, he subsided.

Meanwhile, Sinbanimous had sense enough to stay away. Where he was I do not know, but he turned up again after three days. He told me that the old man had threatened to kill him and that he had been very scared. By that time the whole affair had evidently been forgotten and Sinbanimous was allowed to go about his work as if nothing had happened. It is once more calm, and I am glad.

July 25

You would be amused at my extensive medical practice. It consists mostly of treating sores (yaws, terrible things sometimes), which I wash with a solution of either corrosive sublimate or potassium permanganate. Some of them heal after this treatment. For other ills I give purgatives in large quantities, on the theory that it can do no harm. And I administer quinine for fever and paint bruises with iodine. That's about all.

There are many ailments about which I frankly tell the natives I know nothing. It would certainly be dangerous to prescribe something out of my medicine kit when I can't diagnose. I never give anything to an old person or to one who is seriously ill and likely to die. I cannot afford to have any deaths laid at my door. At first I was afraid even to treat a sore, but after several successes I took more courage and even developed a kind of professional pride.

Of course the natives have their own medicine, too. It consists mostly of

leaves, roots, and magical spells. The native doctor is paid quite liberally in shell currency if his patient gets better; if he does not recover, there is no payment.

July 31

To-day a native man told me in a perfectly matter-of-fact way that he had killed his father and mother. They were both very old and ill, and, wanting to live no longer, had asked their son to strangle them, which he dutifully did. As I looked at the kindly face of the man I felt very queer.

I have been asked what my totem is, and have had to admit that I have none. How queer the natives must think I am!

August 1

You ask me what I eat. To begin the other way round, what I don't eat is green vegetables and milk. There are no cows. I have some canned milk, but I dislike it so much that I don't use it even in coffee. I have no butter either, except the tinned variety, and I don't like that. But I fare quite well. I have lots of fruit, and this makes up for a lack of green vegetables. Here is my usual menu: —

Breakfast

Pawpaws, a very delicious fruit

Bacon. I have a whole side of bacon with me.

Fried sweet potatoes sometimes, and occasionally an egg if I am lucky. Chickens have been introduced here, although not many natives have them.

Coffee

Bread and marmalade. I brought with me loads of my favorite marmalade, and as long as one has that, life can't be too bad!

Lunch

If I am working away from the house at noon, I have just the milk of a coconut.

If I am at home, I have tea and bread, or taro, with tinned cheese.

Dinner

Fish or a bird. My boy shoots a bird whenever I want one, and sometimes soup is made from it; at other times it is roasted. Fish I usually have grilled right over the fire, and they are delicious, being very fresh — right out of the sea.

Occasionally a tinned vegetable

Fruit — the inevitable pawpaw or a pineapple

I have an excellent brand of tinned prunes and raisins which I eat in place of candy. I also brought some milk chocolate with me, carefully packed in tins, but it became wormy.

I miss not having good water. Mine comes from a little spring which bubbles up through the sand on the beach and is very brackish to the taste. I can only drink it disguised as strong tea or coffee. And I have no stove, all the cooking being done over an open fire. My equipment leaves much to be desired, but I get along.

So much for the culinary aspects of my establishment. You see, I am in no danger of starving. But I should enjoy a leaf of green lettuce more than anything.

August 9

It is really most unnatural to live in a culture not your own. One feels all wrong at a time of crisis. There is one now, and I don't know what to do.

During the night, or rather in the very early morning before daybreak, the chief's wife, Pulong, gave birth prematurely to a dead child. And now all day no one has known whether she will live or die. I have been able to do nothing but stand around like a helpless idiot. I am truly fond of her, for she is my best friend among the native women. Also, she is my most helpful female informant, so my personal sorrow is mingled with a fear of scientific loss.

All the women have been attending

her, giving her native medicine and performing magic, but I have done nothing, not even offering a stimulant because I don't know how her heart is. With my appalling ignorance on medical subjects, I am afraid to attempt anything in a case like this. Of course the natives do not expect me to do anything, but that does not rid me of my feeling of helplessness.

Aside from all this, the crisis has had a psychological effect on me which is far from pleasant. I am neither fish nor fowl. All the women of the group are busy doing those things for Pulong which their culture prescribes in such an emergency, and my function of note taking does not satisfy me. (I suppose the perfect anthropologist would never grow so fond of natives as to be disturbed by their illnesses.)

And then her husband is such a lonely and tragic figure. He sits on a log in front of the house in which his wife lies. His back is to the house, his shoulders are bowed — and there he sits hour after hour. The women do not talk to him, and the men leave him alone also. If Pulong were suffering from an ordinary illness, he could go into the house, but at a time of birth a husband does not go near his wife, so it is taboo for him to enter and see her now.

I remarked inanely to him that I hoped Pulong would soon be better. He replied that he did not know. My remark was just an expression of the silly sentimentalism of my culture. Of course I don't *know*, either. These people are realists and are not interested in pious hopes.

I wander around restlessly all day. I go to the house where Pulong is, stay awhile, come back to my own house, then go again to Pulong. I sit with a group of women around her silent bed (she is unconscious), and they seem to be glad to have my company, but

that is all. They do not look to me to take a hand. I may be getting good anthropological data, but the knowledge of that does not take away my feeling that I do not 'belong.'

It is somewhat the same at funerals. Then I feel that the whole society is drawn into itself and that I am alone on the outside. During the normal round of daily life I do not have this feeling, but I do not deceive myself about the real state of affairs. Every crisis makes me realize anew how impossible it is for a person from our culture ever to become really a part of life here. It amuses me when some of my anthropologist friends speak of 'going native' and of studying an alien culture from the inside. It cannot be done. One can *enter* an alien culture to some degree by sympathy and understanding, but one is never truly a part of it.

Later, August 23

I am glad to add this postscript. My friend Pulong did not die. Though still far from well, she is now gradually recovering her strength.

August 29

I am feeling very good because I recently got the rain magic. The spells were the secret of one feeble old man and he was rather loath to give them to me. I had been trying to get them from him ever since I arrived, making him a few small gifts (mostly tobacco) at discreet intervals, but with no results until last week, when he sent his son to fetch me. I went to his house, spent the day there, and now I can make it rain!

I can also make the sun shine, but for that I need the bone of a dead man. And I have magic to catch a wild pig, to woo a maiden or a man, and to bring a good garden crop. The essence of it all lies in the muttered

spell. The natives believe in it absolutely. It would be a most convenient faith. Any faith is, I suppose, if it is accepted without question.

September 8

This morning Ongus was talking to a man from a rather distant village who happened to be passing through. The two were standing fairly close to my house and the wind carried their voices to me. I could not help overhearing part of the conversation, which happened to be about me. I give you a free translation. Ongus was saying: 'You know, when she first came here she was awfully dumb. She did n't even know how to speak. In fact, she was just like an infant. But now — ah, all that is changed. She speaks and understands us, she knows the magic, she can dance with the women, she has learned our folk tales — ah, she knows much. And who is responsible? I am. We all are.'

September 13

The faith of my natives passeth understanding.

I have just returned from a village five miles away where a great ceremony of ritual dancing was performed. It was an important occasion and people came from all the villages round about. In Lesu, excitement had run high in preparation for the event. Yesterday, however, it rained very hard, and the natives were worried that it might rain again to-day and spoil everything.

Now it happens that the people in the next village were slightly aggrieved because 'my' village had contributed only four pigs to the feast instead of six, so the word got about in Lesu that the magician in the next village had made the rain to annoy us. The matter was gravely discussed, and it was finally decided that if it did rain our village

would not dance at all. This was delivered as an ultimatum.

To-day dawned clear, and remained so until after dark. The result was happiness all round, and everything came off as smoothly as a five-ring circus. And now the people of Lesu say that the magician held off the rain for fear they would not come. (Footnote to faith: It usually rains at least once in every twenty-four hours!)

September 17

I am a bit wobbly at the moment, for I am recovering from an attack of colic. At least that is what I think my trouble was, after reading all the books on tropical medicine I have with me.

Yesterday a certain bird's call was heard which is supposed to be the omen of an approaching death. Since I was the only person in the village who was unwell, the news of my death was cheerfully brought to me. Ongus, the chief, came to cheer me up. I was not to worry, he said; since my family was far away, he would take the responsibility of providing the pigs and everything else for the mortuary rites.

The offer was a proof of the chief's esteem and affection. Mortuary rites count for a great deal in the native scheme of things. For a person not to have a large funeral would mean that he was unimportant in life.

November 28

Thanks for the papers and magazines which arrived recently. In one of them there was a picture of New York with its skyscrapers, and I showed it to a native. He looked at it quite intently for several minutes, then turned away, remarking laconically that it had no trees. It was the inevitable comment of a Melanesian, the trees here being the most prominent feature of the landscape. The village is composed of little huts squatting low under tall trees.

I also showed him the picture of Epstein's new figures, and he gave it as his opinion that they were not real people.

It is difficult for me to realize that most of my middle-aged natives were cannibals in their youth. The other day a man was telling me how much he used to enjoy human flesh. They ate only their enemies taken in warfare, never people of their own community. Fighting was fairly frequent, but on a small scale. One old man said that if I had come in those days I might have been killed. Lesu would have liked me all right, he added, but if another village had come to fight Lesu, I should have had to take my chance with the others.

Such wars are now prohibited by the mandated government, so I am in no danger of being speared.

December 7

Last night I achieved my record for going to bed early by turning in at seven-thirty. It was raining, and my verandah was swarming with millions of tiny insects that had been attracted by my lamp. They do not sting or bite, but are terrible pests, swarming everywhere. If I open my mouth, they fly into it; they crawl down my back; at supper many drowned themselves in my teacup, and it was impossible to eat. There was only one escape — to go to bed under the mosquito canopy. I am growing tired of the rainy reason, and begin to think that the Sahara Desert might be a pleasant place to live.

For local news, a wild pig was caught to-day. It is being baked now, and later there will be a feast in honor of somebody's relative who died over a year ago. Only the men eat at these feasts, held in the cemetery, and they bring out the left-overs to the women. There are no feminists to object to this procedure.

Days later, Christmas Eve

I had to stop at this point for some reason or other, and there has been no chance to continue until now. I sit huddled in my raincoat while it pours. Why Noah made so much fuss over the flood — a mere matter of forty days — is quite beyond me; he should have spent a rainy season in New Ireland.

My servant, Kuserek, thinks I am responsible for this particular 'shower.' I had been working with a magician, getting more magical spells to produce rain, when the deluge came. The storm is heavier than any we have had for some time. But, say Kuserek and others, what can I expect if I *will* spend the day going over rain spells?

To-day is my birthday, and tomorrow that of Jesus. I shall open a bottle of stuffed olives!

January 12, 1930

Yesterday saw the final act of a little drama.

Some months ago I spent several weeks at Logagon, a village about twenty-five miles away, to witness some special rites. At the time, an epidemic of infantile paralysis was sweeping the island, and adult natives were dying by the score after being ill only a day or two. Fortunately Lesu had not yet had any of the 'big sickness,' but a village only six miles off had had many cases and many deaths.

I had been at Logagon only a short time when two boys from Lesu came up for the rites and stopped in at my house to chat. They mentioned that one of the young girls at Lesu had contracted the 'big sickness' since I left. Naturally I was worried about the spread of the disease, and just then who should pass by but the medical patrol from Kavieng, the capital of the island. I dashed out, yelling at the top

of my voice, and they finally heard me and stopped. They were on their way to pick up the dead from the epidemic, and I told them about the case of the young girl at Lesu. They promised that they would stop on their way back, and that if she was alive they would take her to the hospital at Kavieng.

A large group of natives gathered while this conversation took place, and some of them understood enough English to catch the gist of it. I went back to my house thinking how lucky it was that the patrol had passed and that I had been able to summon help for the sick girl.

Later in the day I was out in the compound where the rites were to begin, and I noticed that all the natives were very cool toward me. They were polite, but absolutely frigid; all the old friendliness was gone. I was alarmed. I tried to think of something I might have done to offend them, but could think of nothing. The more I racked my memory, the more puzzled and worried I became.

Finally, that night, Kuserek told me the reason. She said that my Lesu friends (a large group of whom were at Logagon) did not like my giving the information about the sick girl to the medical patrol. They felt that I had betrayed their confidence. They were accustomed to tell me everything, with the understanding that it was to go no further, and here I had reported something to white officials which they did not want them to know. They regarded the hospital at Kavieng only as a place in which to die, and if they were going to die they preferred to have death come upon them in their own homes surrounded by their relatives. By reporting the case to the medical patrol, I had sent the girl to Kavieng to die far away from her family.

This version of the affair stunned me, and I rushed out to a group of old

and middle-aged men, some of them trusted friends and informants, and began to explain. They listened in silence, but said nothing, and then very pointedly turned the conversation to another subject. They had politely refused to discuss the matter with me, and I was left feeling very helpless. I decided that the best thing to do was to say no more about it for a day or two.

Meanwhile everyone was busy with the rites, and I went about taking notes as usual and wondering when I ought to try to open the subject again. At last, one day, I was talking to a few people who I knew had formerly trusted me, and I put my case before them as straight and as simply as I could, repeating the same few facts over and over again. I told them about the horrors of the 'big sickness,' which they already knew. I mentioned the deaths in the near-by village, which they also knew. I said I was concerned for the people of Lesu, and did not want them to die in the same manner. I said that I did not know whether Mimis, the sick girl, would live or die in Kavieng, but that her going there would help prevent the rest of the Lesu people from dying; and I explained how one person caught the disease from another who had it.

All this I went over many times — and in the end it registered. The coolness vanished, and the old friendliness was restored. I was greatly relieved.

And yesterday — months later — came the climax. Mimis returned from the Kavieng hospital, well except for a slight limp. A feast was held in honor of her home-coming and speeches were made, several of them stressing the fact that it was I who had saved her life. I sat quietly remembering the Logagon incident, and smiled inwardly.

January 27

I have announced my imminent departure and am quite flattered at the many regrets that are being expressed. The form of expressing regret is peculiar. They say that after I am gone my house will be no good, that it will be empty and lonely. I have explained that I am going because I want to see my family and friends, and that they want to see me. This the natives readily understand. They dislike very much to leave their own village, and, should they have to do it for any reason, they always want to return.

As a matter of fact, I have often spoken to my dark-skinned friends about all of you. I have told them that the reason I wanted to learn about their customs was in order that I might tell my relatives and friends about them. This, too, the natives can understand. They have taken me quite seriously on the point, and sometimes one of them will say I must be sure to tell my family that such and such is the custom, and not something else.

In the beginning of my stay they were puzzled by my checking one informant against another and asking the same question of many people. One woman wanted to know if I thought they had twenty different customs for the same thing. Later this was accepted as my way of doing things.

Next day

The occasional domestic quarrels between my two servants are interesting, although rather disruptive to the running of my establishment. They had a big fight several months ago when we were all at Logagon. As is her custom, Kuserek ran away to some of her relatives near by, and when we were ready to return to Lesu she did not show up. So we went back without

her, and I announced to the world at large that I was grieved that she should run away. A short time afterward a boy came to Lesu with the message from her that her 'cross' had not been with me, but with her husband, Sinbanimous; but that now her 'cross' was finished and she would return if he would come and get her. He seemed willing enough to go, and did so right away. A few days later they returned in a most sorry state. They had started before daybreak and had walked twenty-five miles in the rain, arriving after dark, wet, tired, and very miserable. Since they seemed feverish, I gave them quinine and sent them to bed.

And there was peace after that — until yesterday. I was just thinking how pleasant it was that these domestic quarrels had come to an end when Kuserek dashed up to my house saying that Sinbanimous was going to beat her. I strolled over to their house, and there was Sinbanimous breathing fire and brimstone against his spouse. Now wife beating is quite good form here, and I could not tell a man to refrain from exercising his conjugal rights. But I chatted with Sinbanimous, recalling the incidents of the last quarrel, mentioning how upset the household had been and what a long journey he had had to make to get Kuserek back, and I ended with the remark that this time she would probably run even farther away. He muttered to himself, but made no reply.

I went back to my house. Kuserek was sitting on the steps, and she announced that she would sleep at my house instead of her own that night. I said all right. Night came, and I asked her if she had brought up her blanket. She giggled a little and said that she was going to sleep at her own house, that the 'cross' was over.

So all is calm once more. As a rule it is Kuserek who provokes the quarrels with her nagging — and a Melanesian can nag as well as any lady in our society!

*S.S. Montoro, EN ROUTE TO SYDNEY
Beginning of March*

As you see by the stationery, I have left Lesu. My leave-taking was rather sad. About a week before I left, the village had a big feast in my honor, and long speeches were made expressing sorrow at my departure. And when the time actually came it was terrible. My native friends just stood around in a circle and wept silently. The tears rolled down their cheeks, and they said not a word. I felt rather badly, particularly because of the silly habit of not showing the emotion I felt. If I could have wept too, it would have been better. I told them I would n't forget them, and got off hurriedly.

I felt truly sorry to part with my native friends, although my emotion was not as unalloyed as theirs seemed to be. I have a true fondness, affection, and friendship for them, but at the same time I was desperately eager to leave the island and come home. The last month in Lesu I had to force myself to work. I had used up all my energy.

When I first came on board I was very tired and depressed, but now that I have been on the boat a week my spirits are reviving. I have consumed quantities of celery, lettuce, and tomatoes, and gallons of water, and slept a lot.

I am slightly doubtful that we shall ever reach Sydney, for the boat stops every time it sights a coconut tree and loads copra. But eventually we may get there, and then — who knows? — I may even be arriving home one of these days.

THE GENTEEL BURGLAR

BY CAROL BACHE

I

THE afternoon sun, slanting through the branches of the ginkgo tree, outlined on the worn mat below a pattern of intricate design. Takeo thrust his lean old shanks gratefully into its warmth as he put the finishing touches to a winter bonnet of straw he was making. It would protect the ancient stone lantern by the lily pond against the hard frosts of a Tokyo winter.

He regarded the results of his morning's work in the garden with justifiable pride, for he had been at it since sunrise, and now, in their winter wrappings, the familiar trees and shrubs had been cunningly disguised as for some freakish masquerade.

The dwarf pines were well provided for in case of a heavy fall of snow. Each separate twig was supported by a length of twine and fastened to a stout pole above. It looked as though some giant spider had been spinning steadily all through the night. The camellia and japonica bushes were very lightly clad, for they were sturdy plants and, with leggings of straw, would be blooming again in March.

The palms were fantastic Harlequins in their elaborate pantaloons of straw; coming from the South, they needed warm garments, and they made the bamboos, facing the winter unguarded, look neglected by comparison. It was not so, however, for though they would shiver and rub their slender leaves together for warmth, with little whisper-

ing sounds, they were quite impervious to icy winds in spite of their air of high-bred delicacy.

The watchdog, thinking perhaps that a midday *bento* was in progress, left the shelter of the house and joined old Takeo upon the mat. They are inseparable companions, sharing their food and secrets indiscriminately. I often hear the old man droning on and on when they are together, in an apparently endless monologue, punctuated at intervals by sympathetic tail thumpings from his audience. She is a very 'skillful' listener, Takeo tells me.

As she approached his mat, yawning and stretching, he welcomed her with ceremony, glad of an audience. Did she remember him as he was not so many moons ago, he demanded. An old man, ill and out of work, who had been forced to steal — or starve. Condescend to look about, for this very house was the scene of his first attempt at burglary.

He sounded so sorry for himself as he quavered along that the dog moved nearer to him on the mat. With rough, warm tongue and waving tail, she assured him of an affectionate understanding which, centring upon so recently retired a robber, was slightly unprofessional in a watchdog.

Takeo patted her briefly before he drew out his tobacco pouch. From it he selected a half-smoked cigarette, with the air of a connoisseur fingering over a

heap of precious stones. When the smoke curled up in thin blue spirals to the branches above, he leaned back luxuriously. There was no particular reason to hurry back to work; he could finish the rest of the shrubs before the first hard frost, and the warm sun, filtering through the fernlike leaves above him, made him feel pleasantly reminiscent. '*Eh to! So, des ne . . .*' And with all the gusto of an Irishman in the confessional he launched once more upon the story of his brief career of crime.

II

For many months, following a long illness, he had no work at all, very little food, and a shelter that was in no way adequate for an ailing old man. His worn clothing would not hold together much longer, it was evident, although he labored over the gaping rents with failing eyesight and shaking, unaccustomed fingers. For his odd appearance he consoled himself with a mild show of truculence: 'I am no tailor, I am a gardener' — and hunted up all the old newspapers he could find to scan them feverishly, in the hope that someone had advertised for his services.

Occasionally someone did. Then Takeo would tear off that portion of the paper, stow it carefully in his empty tobacco pouch, pull the paper doors of his house together behind him, and set out in quest of work.

In the summer, these trips were very pleasant indeed. The early-morning mist lent the country the witchery of a fairy tale, and the dust of the high-road was cool and soft underfoot. Takeo padded along contentedly, first taking care to see that the hem of his faded kimono was tucked high in his girdle to ensure greater comfort and freedom on his journey.

He loitered a little near the more

prosperous farmhouses, just visible in their protecting grove of pines, in the hope that someone, rising betimes, might share an early-morning cup of tea with him.

Enchanted, he paused beside vast fields of lotus, while, raised on tall, clean stems above their glossy leaves, the buds opened to the light. Hunger and poverty alike were forgotten in the miracle of this morning oblation to the sun. Takeo felt certain that the white and shell-pink blossoms must be kin-folk of the floating wisps of cloud that heralded the dawn.

In the first warmth of the day, people were stirring on the road and in the fields. Barelegged coolies, sidling along with their edgewise gait, called hoarse greetings and ribald jokes; in the rice fields, stooping figures in faded blue straightened themselves under their huge hats to reply. Old Takeo enjoyed the rough good-fellowship of the road after the many solitary hours spent in his shabby house.

Winter came at last, however. Only now and again was a gardener needed, by some farmer in the back country, which meant long trips on unprotected roads where icy rains beat down upon the old man and north winds chilled him to the bone. Often he arrived at his destination so exhausted that the kindly maidservants, seeing with pity his blue lips and shaking limbs, brought out their own *hibachi* to dry his threadbare clothing. They gave him bowls of scalding, bitter tea and scraps of food left over from their own plentiful meals, which he consumed in noisy gulps, mindful of good form even in his extreme need.

They squatted around him in a circle and waited considerably for him to finish before they questioned him about himself and the reason for his present poor estate. Patently, this was no uncouth fellow: despite his rags, he ate

with a genteel commotion, giving full attention to his food and showing his appreciation of it as etiquette demanded. But over a pipeful of tobacco he answered them fully concerning his misfortunes.

Had the Old One then no sons to care for him? *Ah so?* It was indeed pitiful that he had no one to provide for him in his age and partial blindness. Why did he not apply to this or that charitable organization for help?

To Takeo the tea was warm and consoling, but the thought of charity was bitter indeed. When his hands grew a little steadier he fumbled in his girdle for the tobacco pouch, from which he extracted a damp bit of newspaper. Then with a worn finger he indicated the advertisement to prove that he was no object of charity, but had come in answer to their request for a gardener that they might have the benefit of what poor skill his years of experience had brought.

More tea was proffered and another pipeful of tobacco in order to delay the time when they must tell him gently that his trip had been quite fruitless. A young, strong man was needed for the work.

Takeo murmured patiently, '*Ah so desuka? Ah so,*' and thanked them for their trouble as he rose to go. At the door, again, he did not forget the traditional salutations before he limped out into the storm to face the journey back and the bleak discomfort of his fireless house.

III

It took several such trips to convince old Takeo that he must abandon hope of any work until the spring at least. His situation was desperate, for when a man is seventy-five, and in fragile health, next spring is a long way off. And he knew no other trade. All

of his life had been spent among his flowers without thought for the morrow, and now the penalties of old age — poverty and illness — were closing in on him. Like a child sent in from the sunshine to brave the terrors of a strange, dark attic, he faced the prospect of starvation.

From long habit, he stooped and gathered up an old newspaper that clung forlornly to the side of a bamboo fence. It was useless to look at the 'help wanted' column, of course, but the stories of robbers and their deeds made cheerful reading for a lonely old man. They were always so successful. Clearly the police were too much occupied with the menace of dangerous thoughts to concern themselves with private property.

He crushed the paper in both hands and rose to his feet with the daring thought that flashed through his mind. He would be a burglar! What a solution for his difficulties! Charity he could not accept, lest he lose face, but he could and would, with honor, become a burglar. Then, too, no preliminary training was needed for this career — even children had been accomplished thieves. New life seemed to flow through his feeble frame as his purpose hardened into practical considerations and definite plans.

With great care, Takeo smoothed out the tattered paper again, and, guided by the details of various accounts, went briskly about his preparations. Having neither food nor fire in the house, his first foray could not be made too soon. He knew the very house to rob, one owned by careless foreigners, suitable and safe for a maiden effort.

From underneath a heap of broken flowerpots, relics of his one-time profession, the gardener emeritus unearthed a rusty pruning knife. He wasted no time in sentimental musings on happy hours spent in sunny gardens,

but, fired with his new idea, sharpened the blade to a fine razor edge. It made a formidable weapon.

With a bit of charcoal ground to powder on his doorstone and a cup of hot water poured over the mass, he concocted a sticky paste which he smeared liberally, if unevenly, over his mild old countenance. The results were all that any desperado could have asked, and Takeo was delighted. Already, it appeared, he showed a promising aptitude for his new vocation.

Of course, a disguise was hardly necessary, for when had a burglar been inconvenienced by the police in any way? In this case, however, it would be most impolite to appear without one, for the people he meant to rob knew him well.

Last winter, just after his long illness; the foreign lady heard of his plight, and offered him light work indoors for which she had overpaid him foolishly. When he left she also gave him tobacco and some long, warm garments of the master's, which were very strange-looking but most comforting to wear on such a frosty night as this. He slipped into them with a sigh of gratitude.

It would be most unseemly now for the foreign lady to see him in the guise of a burglar; she might think that he had not appreciated her kindness, which was not so. Gratitude surged up afresh in old Takeo when he reflected that, thanks to her, he now knew the house well enough to rob it. He resolved to spare her the pain of recognition if it lay within his power.

He was still slightly elated by the thought of his own benevolence when he set out on foot for the house of his intended victims. The evening was drawing into a bitter night, and he met no one on the way but a wretched dog that whined at his heels for companionship. Sensing the old man's preoccupa-

tion, it slunk away into the shadows after a block or so.

A little after midnight, shaking with his mounting excitement, Takeo found the house. Seeing that it was hospitably dark, he slipped quietly through a gap in the hedge.

IV

It was a night of bright stars, and by their light he observed with real distress the shocking condition of the garden. The chrysanthemums would never bloom placed where they were. Any fool should have known that they belonged on the other side of the house. Perhaps there would be time to change them before he began in earnest on his new trade, for it was still many hours to sunrise.

Irresolute, he shifted uneasily from one foot to the other as he recalled himself sternly to the work in hand. But the appeal of the scrubby plants proved too potent to withstand, and, whipping out his pruning knife, the old gardener went to work swiftly and efficiently.

Humming a tuneless little song of contentment, he padded back and forth with the chrysanthemums, and placed them close enough for sociability but not too near for comfort when they should have reached their full growth. He pressed the loose earth down about the roots, and sniffed the acrid fragrance of the few straggling buds with the assurance that now they had a chance to become fine, full blooms.

With a clear conscience he could now begin his evening's work, and, wiping his knife on the short, dry grass, he stepped lightly inside the house. As he had expected, it was a simple matter to gain entrance, for, like all of their kind, these people were mad enough to sleep with their windows open.

A dim light was burning in the room beyond, and thither Takeo made his

way, successfully avoiding all of the huge objects with which a foreigner clutters up his house.

Someone had eaten a late meal, for the careless amah had left the table set, and food still on the plates. But more exciting still were the ash trays, piled high with cigarette stubs. Many a moon had come and gone since he had seen so much good tobacco. Takeo gathered the treasures greedily into a square of white cloth that lay upon the table and tucked them securely inside his girdle before he fell upon the food.

Perched precariously on the edge of a chair, he wolfed everything in sight: a great bowl of rice and all the meat beside it, with peanuts, pickled ginger, and shredded fish in small blue dishes on a tray. He drank all the heeltaps of warm beer remaining in the bottles, and presently a pleasant glow spread over him. What a splendid life was that of a burglar! Takeo sighed gustily at the thought of his wasted youth.

When the last scrap of food had vanished he raised his head and drew a great breath of repletion. It caught midway, however, and his knees swayed under him, working both ways as he rose to his feet, frozen with terror. Across the room a monster was watching him — a fiend with a hideous black face and little slits of eyes!

Then, with the memory of his disguise, the blood flowed back into his paralyzed limbs, and he sank down reassured but not entirely relieved.

Oya ma! What a face! Even a robber should not be so filthy. If anyone should find him with such an evil look they well might take him for some low-class fellow. It was too much. He must take care not to frighten anyone who might chance to see him.

Without further ado, Takeo rose and walked firmly through the kitchen and to the bath beyond. The water in the wooden tub was still hot, he found on

lifting up the cover. A thin but reassuring vapor rose from it into the cold air as he stripped off his shabby clothes. He sniffed suspiciously at the scented soap, but decided to use it for lack of any better.

It would be a shame, though, to soil the bath water of these foreigners. Had he not eaten of their food? Then, too, they had showed him much kindness, but with such loud voices and rough ways that his heart became small at their approach. So, seizing the little wooden bucket, he plunged it deep into the water and sluiced himself off again and again before he went to work in earnest upon his grimy face. He scrubbed so vigorously that the slippery soap shot from his hand now and again on to the concrete floor and had to be retrieved; and not until he was thoroughly assured of his success by the condition of the small white towels belonging to the foreign lady did old Takeo step into the tub.

Chin-deep he sank into the water, which smelled deliciously of clean, resinous wood. Well fed, and warmed for the first time in months, he crouched like some drowsy sea animal, soaking and nodding. The light overhead struck a spark from the copper stove at the end of the tub, which winked at him companionably. How splendid was a life of crime, he reflected happily; and, otherwise forgetful of his enterprise, old Takeo the burglar propped his chin on the edge of the tub and slept.

V

It was dawn when he awoke. The wooden *amado* of a neighboring house were being pushed back with a great clatter, jarring the old man into frantic activity as he realized where he was and why. A robber's lot was a bleak and terrifying one when viewed in the early dawn.

As he leaped from the chilly water with surprising agility, he reached for his kimono and the precious cigarette stubs in one sweeping gesture. The long, warm garments with the foreign master's laundry mark upon them were left hanging from a hook — mute but incontrovertible proof of the visitor's identity.

Outside, a pale fog softened the steely light of a rising day. There were no alarming signs of pursuit, only the muffled boom of heavy waters, boisterous among the rocks. Once from overhead came the querulous talk of sea birds flying through the mist. The fear that lent old Takeo wings was not enough, however, to lift up his feet. His flight was marked, had anyone been looking, by a whirling wake of dust clouds that hung for a time over the road before they settled listlessly in place or drifted off among the wayside grasses.

With his breath whistling in agonized gasps from overdriven lungs, he reached the house at last and crawled between his dingy quilts, utterly spent. Gradually the familiar squalor brought its sense of security and quieted the throbbing heart that shook his frail old body so roughly, and he was able to review his enterprise with tranquil enjoyment. After all, it had been a splendid evening. Had he not eaten rich foods, drunk good beer, and finished off with a hot bath?

Still clasping the trophies of his foray in one hand, old Takeo lay

smiling to himself with a pleasant sense of adventure that he made no effort to resist.

VI

The sun still slanted through the ginkgo tree, but the story had broken off abruptly. Glancing out of the window from which I had overheard old Takeo's monologue on more than one occasion, I saw that he had withdrawn his lean old shanks ungratefully from its warmth.

Rising stiffly, he stumped to the stone lantern and clapped the straw bonnet on its head at an angle that would have been distinctly saucy on a less venerable object. As he secured it against the high winter winds with bits of plaited straw, he grumbled to himself.

It occurred to me then that I had never heard the end of the story. Takeo always stopped at exactly the same point. Wondering idly, I called out to him at his work and put my question, suggesting mildly that the tale seemed to have a very happy ending.

When his bows had diminished somewhat in number and in depth, he replied gloomily:—

'*Oku-san*, what self-respecting burglar could fail to be saddened by the constant thought that, after showing so much promise in the beginning, he had completely forgotten to steal anything from you?'

A NEGLECTED LANGUAGE

BY HENRY S. DRINKER, JR.

I

IN 1597 Thomas Morley — the composer of that delightful song 'It was a lover and his lass' — published a little book entitled *A Plaine and Easie Introduction to Practicall Musicke*, near the beginning of which he tells the following anecdote: —

Supper being ended, and Musicke bookes (according to the custome) being brought to the table, the mistresse of the house presented me with a part, earnestly requesting me to sing. But when, after many excuses, I protested unfaindly that I could not, every one began to wonder. Yea, some whispered to others, demaunding how I was brought up; so that, upon shame of mine ignorance, I go now to seeke out mine old friend master Gnorimus, to make my selfe his scholler.

Just why, in the history of the civilization of different nations, there have been different fashions in music would be an interesting subject of inquiry. In Morley's day it was the fashion for cultured people to sing and play together, not for an audience to hear, but solely for their own pleasure and musical experience. Music was to them a form of speech, another language, used informally every day to supplement words in expressing emotion. So it was, too, for a hundred years after Morley. Perhaps the most vivid recollections of Pepys, to a music lover, are the trios and quartettes in the garden in which the maid, the cook, or the manservant took a part. Indeed, Pepys

would not hire a new girl until she had demonstrated her ability to take an intelligent part in the family music.

A hundred years after Morley, Handel started England singing his oratorios and developed the great choruses. Still another hundred years later, Paganini and Liszt, with their followers, set the whole world agog over virtuosity. Other nations have had other varying musical experience, now engrossed with one musical fashion, now with another.

While in the United States we have as yet no such important musical history, within the past generation, at least, one musical fashion has changed for the better. It is no longer considered 'sissy' for boys, or queer and *infra dig.* for men, to take a serious interest in music, as was true when I was a boy; we can now hear superb performances of the best music by college glee clubs. Our present fashion in music, however, is to listen to bigger and better orchestras. During the past thirty years America has had a veritable orgy of listening. Orchestras, opera companies, and soloists, the greatest in the world, have flocked to our shores and played before packed houses. Our musical taste has thus been immeasurably improved — witness the present popularity of Bach and Brahms; but how many of the thousands of intelligent men and women who attend all the concerts use music themselves as a

means of self-expression, or even realize the possibilities of doing so?

With music as a form of passive entertainment at its zenith, music as a language, a form of speech available to the ordinary man and woman, is generally neglected. In Wales and in parts of England, the people all sing together as part of their daily lives and can read from the score as readily as could the guests at Morley's dinner party; in Germany and Austria and other parts of Europe, the average cultured person can usually both sing and play an instrument; but in America the performance of music is generally regarded as a thing apart, for the elect alone, the mysteries of which it is impossible for anyone to delve into except those possessing a special gift or talent. Although there is now an enormous demand for music for the listener, there is relatively little organized effort to enlarge popular participation in the performance of music. Its avowed patrons mistakenly suppose that the fundamental human need for emotional expression through music can be adequately satisfied by mere listening. People seem unable to believe that music can be as simple, direct, and personal as it really is. Accordingly, they persist in clothing it with unnecessary mystery and complexity.

Clearly, our present general failure to participate in music making is not due to any national lack of the musical faculty or to the absence of a desire by people to play or sing. We are directly descended from any number of musical nations; among the scores of persons to whom I have talked of this, I do not remember one intelligent adult, classed as 'non-musical,' who did not envy those lucky ones who are able to make their own music together. While the radio and the gramophone have perhaps contributed to the discouragement of some amateur virtuosi, these

devices can no more eliminate permanently the fundamental need for the individual adventure in music than the movies can eliminate that for the individual adventure in love. On the contrary, by spreading the knowledge of music they will greatly stimulate the desire for general music making.

The fashion of listening is thus but a habit, engendered and perpetuated by a widespread misapprehension of the purpose and function of music in its relation to life and of the possibility for the direct participation in music by the average person. Music is too often associated with solos and virtuosity, amateur music making being considered a mere parlor trick. Instead, it should be regarded as a delightful new language, for the personal use of each one of us. If only our growing host of music lovers could be made to realize that they themselves can learn to take part in group music as easily and as well as they learn to play bridge or golf, — some better, some worse, but all well enough to get along and enjoy it, — we Americans would in a decade become the really musical nation which our genuine interest in music entitles us to be.

II

Doubtless performances by amateurs are greatly inferior, from an artistic point of view, to those of the professionals. Our present concern is not, however, for the effect of amateur music on the listeners, but for that on the performers themselves, whose musical development can be adequately achieved in no other way. By actually singing or playing together a great musical composition, the performers attain an intimate conception of its beauties and of the art of reproducing it which enables them, when they next hear it perfectly done by experts, both to understand the composition and to

appreciate the performance in a way that no amount of mere listening could accomplish.

Practically everyone who has experienced the delight of singing or playing a great work of music with a group of serious and enthusiastic colleagues will, I believe, agree that the pleasure realized from a very mediocre performance far exceeds that from listening to the most perfect rendering by others, unless it be of a work which they have sung or played themselves. Since history began, our ancestors have used music — the song and dance, melody and rhythm — to release their supercharged emotions. Playing and singing together are a means of individual emotional outlet for which there is no substitute. To participate, with a group of reverent enthusiasts, in the performance of a work like the Bach B Minor Mass constitutes a spiritual experience which it is utterly impossible to attain vicariously, and which has the effect of smoothing out the participant's soul.

Games like golf, in which normally the players far outnumber the spectators, are what make Anglo-Saxons an athletic nation; not football, baseball, boxing, wrestling, and similar sports, in which practically all participation by persons past the prime of youth is by looking on. Probably 90 per cent of the spectators at a golf or tennis match are there to see how it is that the experts do, so easily and perfectly, what they themselves do so badly, though with continued enthusiasm, pleasure, and physical benefit to themselves.

In musical education far too much attention has been devoted to the brilliance and technical perfection of the individual performance, too little to fitting the pupils for an effective part in group music. There has resulted an undue proportion of amateur soloists, whose knowledge of music is limited to

the few selections which they have struggled to master. Many such beginners become discouraged and drop their music before they reach the period in life when they need and can enjoy it the most. If but a fraction of the time, effort, and talent required to turn out a poor soloist were devoted to teaching the pupil to read music easily at sight and to acquiring a first-hand acquaintance with the treasures of musical literature, most of these disheartened virtuosi would become capable and devoted ensemble singers and players, and so continue for the balance of their lives.

There are, also, it is to be regretted, some music teachers, particularly of singing, who are apparently more interested in exploiting their pupils for the benefit of the teacher than in fitting them to lead fuller and richer musical lives. These teachers unduly emphasize virtuosity and discourage group music, which they naturally fear as a menace to the continuance of the kind of music in which their profit lies.

III

While the general familiarity with music in America has vastly increased during the past thirty years, it is still far below our general familiarity with literature. On a recent trip abroad my family and I had, during one of the first meals, a short argument on a musical subject, which was apparently overheard by the passengers at the next table. When, after two or three days, we established the usual Atlantic intimacy with them, we found that I had been classified as the conductor of an orchestra in the Middle West, whereas I am simply a Philadelphia corporation lawyer. No one but a professional pianist or violinist is supposed to know how many violin sonatas were written by Beethoven, or to be able to

recognize any of them. Even among professionals the general knowledge of music is often astonishingly narrow. The singers know only their songs and are for the most part interested principally in voice production. Comparatively few instrumental soloists have any extensive familiarity with chamber music, much less with the great works for voices.

Our growing generation is taught literature, not with a false hope of discovering or developing new Shakespeares or Thackerays, but to enable the average citizen to write an intelligent letter, to turn a neat phrase in conversation, to be able to make or recognize an apt quotation; above all, to develop a real love for literature which will persist and grow as it nourishes itself through life, attaining its maximum of pleasure and satisfaction only with ripe maturity. What would be thought of a graduating class in English, however cleverly its members were able to recite a few poems or orations, if the greater part were unable to read aloud and understand a new page of ordinary prose, or if the reciters of Hamlet's soliloquy had never heard of the Sonnets and had no general knowledge of literature? The end of a musical education should not be the static ability to sing or play a taught repertoire, but the dynamic development, on a sound and broad foundation, of the power to use the tools and materials of music for the enrichment of the pupil's further musical life.

At present, musical education is, on the whole, perhaps better in the public than in the private schools, which are apparently held back more by tradition. The weakest spot is in the secondary schools, where the excellent training from the primary grades is lost because no time can be allowed for a subject which receives no college entrance credit. This cannot be remedied

until the college authorities are convinced that an applicant who is able to play a four-voice fugue at sight on the piano, or to read intelligently a tenor part in a vocal quartette, evinces at least as much mental power and application as one who is able to translate 61 per cent of a page of Cæsar, or to solve the required percentage of problems in plane geometry. In its potentiality for cultural development in modern life, which accomplishment would appear to offer the greater promise?

At this very moment we are on the threshold of an era which promises a veritable musical renaissance, provided only we make intelligent use of that part of our new-found leisure which we devote to the fine arts. If we employ this leisure as did the Romans after Cæsar, — lookers-on at amusements provided by others, — we shall have an Age of Nero or of Caligula. If, however, we use it in the direct expression of beauty through the fine arts, we shall produce an Age of Pericles, of Raphael, of Shakespeare, Purcell, and Reynolds, or of Bach, Beethoven, and Brahms.

The master genius in sculpture, in painting, or in architecture, has sprung only from a race whose blacksmiths and cutlers embellished their anvils, their swords, and their knives with bas-reliefs, whose merchants decorated their warehouses with frescoes, and whose guilds vied with one another to provide the most beautiful window or niche in their cathedral. So the great composer can come only from a people who, not in formal concerts, but as part of their daily lives, as naturally as they talk and work and play, expend a share of their leisure and of their surplus emotional energy in making music together. The production of the genius in music is but a by-product of something far more important — the re-acquisition by the people themselves of the neglected language of music.

IF THE LILIES ARE DOWN

BY LOUISA BUTLER

If the lilies are down, if the tall lilies are gone,
And no sweet yellow apples lie on the lawn,
Yet in the deep green gloom of the chestnut tree
A vireo, low and meditatively,
Sings to himself, and to a wondering Me.

Always in my mind a child lingers
At the window by the dense green leaves, and fingers
A book, wondering whether the melody
Of a human voice or a vireo would be
Sweetest to have . . . a child wonders in me.

I have forgotten to answer the hundred things
The child is asking . . . or is it the bird, that sings
Immortal in its bower in the deep shade,
Fixed in a summer that can never fade,
Where all sunlight gathers, all dews are made?

Whoever questions, child or bird, shall hear
Only an echo, repeated small and clear.
I have only come to question again
What songs are sweetest, the songs of birds or men;
Yet echo changes the question spoken then.

Unanswered questions, questions outliving time,
Grow dear as an old companion, sweet as a rhyme.
Questions we murmur to eternity
Lift us from dust: a timeless self I see
Brooding in the deep shadow of the tree.

Child, I have heard men sing, and they sang well.
They spoke of rapture, melancholy, farewell;
And still their songs had not the innocence
Of a bird's warbling, that enchants the sense
With a limpid coolness untroubled by pretense.

Yet all our listening is with human ears.
It may be bird-song, cool against our fears,
Airily ringing outside our warmest joys,
Will always, for men, be too remote a voice
To tempt any but the weary to its choice.

If the lake is quiet and the stars are veiled,
And sleep has soothed the little owl that wailed,
I will yet know: outside is the chestnut tree
Where the bird sang, sweet and unceasingly,
To the sheltering leaves, and to the child in me.

AIRWAY DOWN THE ANDES

BY FRANCIS AND KATHARINE DRAKE

I

WE are up long before dawn. We are beginning to realize that early rising is part of the pattern of a flight around South America. The scream of the alarm clock, the protesting yawns, the hasty wash, the tiptoe exit down the dark and silent corridors, the waiter who is dark and silent too, the speed-mad jitney that conducts us to the airport — all is to become familiar to us.

But this is a memorable dawn. We meet it high above the Panama Canal, where the Culebra Cut carves a dark trough between two continents. Behind us, the Atlantic Ocean; ahead, where distant ships and masts float double on a satin sheen, a flaming bonfire of a sun is lifting slowly out of the *Pacific*. Surely this is some optical illusion? We check up on the map and find that it is not our eye that is at fault, but our geography. For at this point the Atlantic is to the west of the Pacific; we are approaching the West Coast, yet we are flying east. It is too complex for the early-morning mind.

The world explodes into the gorgeous colors of a tropic sunrise. The inky ditch below — small and unpretentious to have cost so many lives — has vanished in a haze of gold. The sky behind Balboa is on fire, and newborn light is like gold lacquer on the jungle hills.

Here is the first hint of the parade to come, the pageant of the Andes that

we shall follow for five thousand miles. We slip across the Continental Divide. We shall recross it in a week, not above rolling hills like these, but over the snow-bound Cordillera and at eighteen thousand feet.

II

Four hours, four hundred miles from Panama, we turn in from the blue Pacific and cross the beach at Cape Chirambira. The jungle is so dense that, from above, it is a solid sea of thatch. There is no movement. We drop down to a red-brown river and fly along its windless surface. The jungle reaches well above us on each side, and from the trees issue flocks of gay-plumaged birds. The scene is all brazen color.

The pilot points ahead. We look down, and as we look our heart skips a beat. The window, for a moment, has framed the picture of an Indian hunter.

He is naked except for the blowpipe that he carries on a chain of beads around his neck. He stands beside the river that coils like a lethargic snake between the hostile jungle walls. The bamboo hut behind him is his home; his world is bounded by the paddle of his rude canoe. We have roared down on him like a flying dragon and he is gazing back at this bolt of science. He has missed an entire cycle of progress, has never seen a road, a horse, a train, a car; and our machine to him must

be strange magic. He stands there with his blowpipe, his polished wooden spears, a scant fifty feet from the pilot, but they stare at each other from opposite poles of civilization. . . .

Orange, purple, green, vermilion — there are no half tones. Every second is packed; every curve, as we swing around it, offers something new. Unbelievable that a few hours ago we were in an up-to-date hotel, with telephones and elevators and electric light, or that we are not on some elaborate trip of exploration. Here we sit snugly in our flying seats, safe even from mosquitoes, while out there, in that ambush of brilliant fever-laden jungle, is death in a hundred ugly guises. Primeval forest, primeval menace — plagues, fevers, poison arrows, jaguars, the ruthless coils of the great boa constrictor.

Too soon the chapter ends. There is a deepened roar from the engines, we soar high above the trees, and the river is taken back into the jungle.

III

Crocodiles! We are low over a mangrove coast line. Creeks and rivers meet the sea in sluggish succession. The whole area is covered with the tracks of feet and tails, and the crocodiles themselves are sunning idly on the sand banks, huge gray-green hulks supported on inadequate legs. A few rush into the water at amazing speed, but the majority decline to be disturbed. These are estuarian monsters, not the zoo exhibits we are used to. The species is the largest in the world, and even the runners-up in size will be anywhere from twenty-three to thirty feet.

'Engines used to scare them,' scribbles the pilot; 'now they're air-minded!'

Another colony has come in sight.

We curve on a banked turn over them, but the air-minded crocodiles stand their ground, their huge jaws open in a hideous grin.

It is after three o'clock when we cross the equator. We are unprepared for the diplomas in black and gold which the pilot solemnly distributes to the cabin. Across the printed legend in old English lettering he has filled in our name in ink, and underneath we read: 'Crossed at 3.25 P.M. Alt. 500 ft. At sea. Cloudy and cool.'

The 'cool' is no exaggeration. Equator or no equator, we are shivering underneath a sweater and wishing that we had not shipped our coat home from Colon. It is better when the sun comes out again and stamps light and shade upon the lovely coast line. High orange cliffs have risen from the shore, and now we fly down mile upon mile of splendid yellow sands. No more crocodiles, no more swampy river mouths. The jungle here is high and hilly, a bright green selva on the towering cliffs. Since our last refueling — two hundred and fifty miles behind us in Tumaco — we have not seen a sign of human life, not even a canoe. These are the most private beaches in the world, for there is no way to them through the jungle, nor any anchorage for ships.

Just as the sun is setting we swoop toward the yellow beach that we have trailed so long. Through the banking window we look down on a handful of wooden houses, palms, and pawpaw trees, fringed around the sand. On the seaward side the radio towers of the Airway thrust incongruously into the sky. This is our overnight stop, Salinas, and we are on Ecuadorian soil.

The rest house is no Grand Hotel, but its ramshackle verandah, which overlooks the sea, is cool and quiet. All we ask is a chance to stretch our legs, to wash and eat and sleep, for

to-morrow we must be up again an hour before dawn.

We amble down the beach, scuffing our feet in the loose sand, hoping to uncover an ancient Spanish coin. A ragged urchin has one in his hand, a heavy silver piece, washed up from treasure galleons that lie somewhere beneath these phosphorescent waves. Rumor has it that the sunken hoard runs into millions, so we scuff hopefully along. But there is none to spare for us, not one doubloon. Merely the glint of lamplight on purpura shells, the mocking whisper of the breeze among the palms. . . .

We tuck the mosquito netting around the rough bed and crawl inside. It is not nine o'clock, but everywhere the lights are out and from the other rooms come intermittent snores. They grow louder, more regular. They settle down to a deep, rhythmic drone, until our drowsy senses are unable to decide whether they are really snores or still the measure of a pair of aero engines.

Sleep comes at last. It comes advancing on us in chaotic waves in which are jumbled galleons and crocodiles, Indians and toucan wings, landings and take-offs — the thousand-mile kaleidoscope of our first day in South America.

IV

Salinas is a memory, already two hundred miles old. We have dropped mail at Guayaquil, and are heading for Cape Blanco, the westernmost point of South America.

This sea flight is spectacular — almost too much so for a pair of untrained eyes. We are at about a hundred feet. And as we fly we stare into the vast aquarium that lies beneath a sheet of clear blue cellophane. Giant rays, twenty feet and more across, move like black carpets just beneath

the surface, uncanny monsters to be lurking in this smiling sea. Dolphins are playing all around . . . flying fish . . . submarine silhouettes of war — great oblong shadows that are sharks, lunging after lesser fish too small to be distinguished from our height. A school of tunnies moves solidly across our course. Patches of coral, violet through the lucent blue, flick into sight and out again. Once, protruding from the glassy surface like a mushroom, we catch sight of the broad curved back of a sea turtle.

The passengers are half out of their seats, pointing, exclaiming with excited gestures. It becomes a game to see who can discover a new wonder, to beat the lynx-eyed pilot to a find. Magic hours, hundreds of miles of this unstinting reservoir packed with a million marvels. We recognize perhaps a dozen, but we defy an oceanographer to have a more exciting time.

We are still out of sight of land when there flashes into view a little fleet of balsa rafts. We stare at them aghast — twenty, perhaps thirty of these flimsy, bobbing match sticks, floating awash. A school of sharks is a short way behind. We have an impulse to shout, to warn these fishermen teetering so blithely on their corkwood logs. The plane — an ark of safety by comparison — has come down just above the water while we note more details. The rafts are pitifully inadequate: a few logs clamped together, a basket for the fish, a stool, a mast, a rag of sail. . . . A forest of arms is waving at us, the faces of the fishermen are split with grins; the planes are their friends, for the watchful pilots have brought about innumerable rescues.

In a few minutes we are miles away, but not soon shall we forget the picture of the intrepid fishermen, hunting, but more often hunted, in these rapacious seas.

V

Talara in sight! The co-pilot is already pumping down the wheels for our first landing on ground. Talara, Peru! How impressive it has looked to us in the time-table! But our ideas are due for a rough rearrangement, for now we catch sight of a group of oil rigs, white-painted tanks, a few forsaken houses, and everywhere blistering, lifeless desert. We cross a brown ridge and bump down to a landing. A minute later and the hot sand bakes against our shoe soles. We shuffle through it, moving instinctively toward the shack that marks the 'airport.'

The glare is terrific, the isolated shadows are as black as paint. Our mouths feel dry and gritty.

The airport manager observes us. His eyes twinkle as he points to the sign painted on the roof.

'I had to put the name up,' he explains. 'Passengers used to think it was a forced landing.'

The plane refuels. We wander over to another amphibian that stands waiting, and chat with her pilot. A rescue party of one, he spent yesterday fighting storms in the high mountains around Chimborazo, flying blind through impossible weather, over impossible country, ambulancing a sick bishop from his remote see in Quito to the modern hospital in Guayaquil. We have heard the story from the airport manager. The pilot makes light of it. Storms? Oh, sure, a little thick. Danger? No, just a bit tricky here and there. All in the day's work. He pounces gratefully upon our day-old newspaper from Panama.

We move toward the shack again. Our ears have caught a sound that staggers, a plaint in girlish voices unmistakably American:—

'I cut out candy weeks ago.'

'Me too. And butter. But all I do is breathe and put on pounds!'

'This climate . . .'

A reducing bee, a petticoat explosion over pounds and kilograms arising in this bleak Sahara? Incredible! But there it is. Two pretty girls are standing by a well-used bathroom scale, their high-heeled shoes driving like little stakes into the sloppy sand. Powdered, perfumed, dainty to the last feminine degree, they seem to be arrayed for Easter Sunday on Fifth Avenue. This is the most incongruous sight we have struck so far.

'Bridal party,' confides the manager. 'At least, it will be if they can find a minister!' There is none here in the oil fields, he explains. Possibly at the next stop, sixty miles along—well, who can tell?

Sure enough, we now espy the bridegroom lurking in the shack. Dressed in *his* best, too, he is not merely blushing, but perspiring freely as the pilot gravely indicates the load sheet. It is a question of weight, and we begin to understand the bath-scale crisis. There is room for the bride, and the groom can sit on the floor. The maid of honor is the problem. What to do? For to do nothing is unthinkable—even in the Peruvian desert no one could have the heart to leave a wedding party in the lurch. Our pilot rises nobly to the need. The maid of honor is rushed back to the scales. Her precise weight in gasoline is withdrawn from the plane. A passenger presents his seat; he volunteers for floor space with the bridegroom. Smiles of delight all round. The emergency has been met. . . .

In thirty minutes we drop down again on to the desert. Here there is not even a shack; the town of Paita is out of sight. There is but one solitary object, rising like some forsaken statue from a ledge of sand. We taxi to it.

It is, we now detect, a motor vehicle, but of such obsolete design and aspect that to identify it as a bus would be inaccurate. Rather, it is a horseless buggy, a museum piece, but not without a certain seedy dignity. A tattered canopy of velvet tassels hangs over it, and from its hog's-back chassis rise rows of wooden benches that slope toward the back like gallery seats. There is a driver.

Conversation follows through an opened window. Is there a minister in Paíta? The driver makes a long, impassioned speech in Spanish. The wedding party descends. The bride and her man stand there for a moment, regarding dubiously this chariot that is to be their bridal coach. Suddenly she bursts out laughing. She turns and waves the waiting plane a gay good-bye. A rousing cheer goes back to her across the sand. The engines roar and we are off again. The last we see of them is three dark specks, paging a parson in the middle of the grim Sechura Desert.

VI

We advance on Lima in the late afternoon sunshine. As at a play we sit expectant in our seats, awaiting with impatient eyes our introduction to this venerable Spanish capital. Lima — the pride of the Conquistadores, the City of Kings!

We rise swiftly from the flat trim of desert. We have exchanged our small amphibian for this luxurious ship. The three great engines lift her like a kite over the blockading mountains that are camel-hued, like the remainder of the landscape. Three thousand feet. All at once we are clear, and the streets of Lima are below us, a gridiron on the earth. It is like flying over a titanic hippodrome, which has for walls the sullen Andean ramparts. In the arena lies the city, with the River Rimac

searching diagonally across it for the sea. We pick up the twin spires of Pizarro's cathedral, stray patches of green that indicate the country club and polo fields, innumerable traffic lines moving in orderly procession along the crisscross streets. Eastward, in the shadow of a ridge, we see the crumbling outlines of the city of Cajamarquilla, which was old when grass grew undisputed over London. It was old even before the Incas came and for a little while, for a few centuries, made it green and fertile.

We go out there next day and walk through miles of tumbling, lifeless streets. We step over the rifled graves, crunch with our feet odd scraps of finely executed pottery, — the burial *huacos*, — handle fragments of cloth whose loveliness of texture and design is still perceptible through centuries of rot. The sand is strewn with skulls. We pick up one, chalk-bleached by the fierce sun. Two rows of teeth are still embedded in their sockets. The coarse black hair stirs in the hot wind with a ghostly life. What part was his, we wonder, in the erection of these ruined aqueducts, the cracking waterways through which the modern Lima still obtains some irrigation? In Tehuantsuyu, the historic Empire of the Four Winds, was he serf or dictator, cog or inspiration of that extraordinary socialist machine? Uneasily we put the skull back where we found it. There is no answer in this sinister silence, only the shuffle of our shoes over the graves, the buzzards awaiting avidly our scraps of lunch. . . .

We drive out of the dead history into the pulsating life of the Pan American-Grace airport. It is an experience like a cold shower after a fatiguing day, a singular exhilaration. Here is the brain centre of the West Coast airway, of this wand-waving system that gives us with the same cool efficiency croco-

diles and blowpipes, jungles and deserts, oceans and Cordilleras. We begin to clear up points that have mystified us during the concert-pitch performance of our trip from Panama. More and more, flying over some of that impassable country, it has begun to dawn upon us that it is one thing to run an airway in the United States, with extensive government provision of landing fields, beacons, weather stations, radio towers, with every hand raised in coöperation, and quite another to create, single-handed, a full-fledged airway over twenty thousand miles of foreign continent — a continent where vast distances and savage geography have been perpetually hostile to international transport.

Walking through the plant, where the entire range of work is handled on the spot, we begin to understand why engines do not falter in that wall of water that is a tropic storm, why wings do not bend under Andean winter gales, and why this air express has a record of 99.8 per cent maintenance of schedule, winter and summer. We feel an immense respect for these young North Americans. They have achieved, in four brief years, a revolution in the intercourse of a hundred million people, and made their enterprise an integral part of North and South American business.

VII

All too soon we are on our way again. Lima has been banished in another dawn and we have come hundreds of miles to the southeast, over villainous country. We bump along at thirteen thousand feet. The big machine slams up and down, ten stories at a crack. The landscape is a vast relief map, inhospitable, barren. There are no roads, no railways, no towns, no trees, no living things—only the

mountain ridges, one behind the other, sticking up like rusty sword blades. We keep a lookout for llama caravans, for we are told this Andean sheep is the only beast of burden that can survive the altitude. We see none, so we supply them out of our imagination, crawling like ants over a corrugated roof, picking their way, heaven knows how, over the everlasting sameness of each ridge.

We are glad of the two thousand feet of space between us and the mountain tops, gladder still to bump over the final rim into the green cup of Arequipa, which lies beneath El Misti. Thin air and a fast landing, for Arequipa, at eight thousand feet, is the highest airport in the system.

We are in luck. We come down just in time to see a ship that we have heard so much about along the Line. It is the gold plane. She stands there, engines warming, the twin of ours, only she has no seats; the whole interior is cargo space. We hasten over, panting a little with the exertion, and inspect the flying gold van that caused Andean Indians to fall down and worship, that lands and takes off like some legendary bird at fifteen thousand feet!

Behind it lies a fantastic story, the story of a man who could not use a gold mine. The gold was there, so was the money to exploit it. The problem was how to take in the machinery to work it. Llamas, with light loads strapped to their woolly backs, took forty days to make the trip from the railhead to the mine. Teams of Indians, eighty strong, succeeded in dragging one 300-pound piece of machinery over mountains four miles high — but some of them died like beasts of burden on the way. Heavier pieces, the essential parts of the plant, were hopeless. . . .

Watching the pilot test his oxygen supply and lift the gold plane off, we realize that the mine owner, to say

nothing of the Indians, has reason to bless the coming of the Airway. The pilot will refuel at the railhead (Cuzco) and haul machinery weighing two tons over mountain summits twenty thousand feet in height — a world record. The six-week llama trip will take him twenty minutes, and, bringing the gold out as it is mined, he will make four round trips a day. The pioneer work for this extraordinary enterprise, the establishment of a landing field at fifteen thousand feet, the daring of crack pilots, hunting through unmapped mountains for the mine, make a story for another day.

It is the beginning. The exploitation of other remote mines is already under way, with such effect that in one case three cargo planes and six men are about to undertake the work of forty-five thousand llamas and hundreds of drovers. New horizons, new sources of untapped riches, are crowding up.

VIII

We fly all day over an El Dorado, laden with secret wealth, — silver, copper, iron, gold, — one of the few frontiers left to big business. We are high over the clouds. On our left, the endless Andes rise higher and still higher, a craggy coast line in this formless sea. The air of the late afternoon is smoothly cushioned, and we are grateful after our lively exercising of the morning. We roll on gently toward Antofagasta, where we are due to land in forty minutes.

Suddenly the gold-topped cloud floor appears to rise obliquely. With throttled engines we sink into it. Bumps — seconds of mist that dull our silver wings — and then the landscape comes catapulting into view. We catch our breath. We have intruded on the sombre scene at a moment of stupendous beauty.

We are flying down a desert valley, the tawny sides of which are drawn up out of sight. The cloud floor has now become our ceiling, and through great jagged holes filters a fire-colored sunset, investing the wild terrain with its brief moment of splendor. The harsh outlines of the hills are smoothed; great pools of crimson rest upon the valley floor. The engines pick up and we fly through an unearthly glow, even our metal wings suffused with color.

We drop down over a thread of railroad and follow it for miles over nitrate fields scratched in giant grooves on the earth, until the airport marker beckons for the night.

Volcanic dust flies up in dense clouds as we taxi to the hangar. We exchange our familiar chairs for antiquated jitneys, race madly down the plain, past nitrate furrows long abandoned, plunge into the cloud-roofed defile of the Salar del Carmen, jolt into the harsh, unlovely streets of Antofagasta. We relax gladly in the queer little hotel. It is a relief to surrender to the unvarying Panagra schedule — our names are known, the rooms are ready, dinner will be at seven, we are to be called at five-thirty, breakfast will be at six, the jitneys will come at six-thirty. We subside, drop neatly into our prepared niches until the system punches the keys and we pop into view again like figures on a cash register.

Morning, and we assemble again before the 'U. S. Mail' sign painted on the sides of the plane; the heavy sacks tell of expanding business, even in the face of the depression. The last is stowed away and we pull straight up to twelve thousand feet in one long climb. Jagged mountain ridges reach higher and higher until our margin narrows to two thousand feet. Our early-morning disposition, as usual, is blunted to the finer aspects of the scenery and we gaze without emotion at a dreary

pattern of Andean foothills, cut every twenty miles or so by a thin river, meandering down a steep-walled valley. We reflect smugly that each hour of flight is the equivalent of at least one day by any other means. At noon, we make a brief plunge into the hot airport of Ovalle, and are off again in a few minutes.

IX

This is the last lap. The savage hills remain the same, but we are swinging in closer and closer to the colossal barrier itself. All at once the hills drop away. Within a minute, the everlasting thirsty brown is banished; vivid green revives, and far below us, like some fabled garden of the gods, spreads the valley of one of the loveliest cities in the world — Santiago de Chile.

We see it cupped in a protecting ring of foothills, its myriad fields watered by clear mountain streams, its roads shaded by stately trees. Before it lies Valparaiso, and the ships; behind it, shielding it from the winter snows of the pampa, is the whole *mita* of the Andes.

It is a scene to catch one's breath, for in these grateful moments we see at last the full glory of the Cordillera.

We have three miles of space beneath us, but Aconcagua, over on the left,

towers ten thousand feet above our wing. We stare straight up at the overwhelming summit, the highest in the Western Hemisphere. A mile-long snow plume blows out from the peak, swept off the mountain by some fierce gale of that blue altitude. Our eyes range down from the gleaming snows, past a wafer-edged stratum of clouds hanging halfway on the escarpment, to the foothills ending in a checker-board of plough and pasture land.

As the air screws idle and we hear the thin whistle of wind over the wings, we realize that we have reached our southerly limit. Our next flight must be in a plane with superchargers, oxygen, and heating coils for high altitudes. For thousands of miles we have watched the mountains rise from the trivial foothills of Panama to this supreme effect, a panorama which spreads in the crystal air to the farthest range of vision. From the first dawn to the last dusk of each day, it has seemed that we have looked down on all possible varieties of scene.

Now, while our silver wings sink quietly into the white blaze of summer, we know that something more has been reserved. We gaze in expectation over white-domed peaks at that shimmering giant guarding the great Pass, the gateway to the Argentine, and to Brazil.

SEESAW

BY WILLIAM ROSE BENÉT

I

'My dear fellow,' said Chickering, extending the book toward him. 'I gladly would if I could — but I honestly don't know what we're coming to. I have n't,' he lowered his voice with a glance toward the window where someone stood examining a rare volume by the light that filtered through the lozenged heraldic-shielded panes, 'I have n't made a sale of any size in months. And, as I've shown you, I have all Prosser's firsts already. And nothing moves now. Why should I purchase these?'

'They were — worth quite a bit,' faltered the other man.

'When you bought them — yes; but even so, Prosser's not the jewel of collectors that he once was.' Chickering half-turned as the figure over by the window moved suddenly to replace on fascinating shelves the volume it had perused, and continued quietly to browse along the glimmering morocco bindings. 'But, good Lord,' the rare-book dealer continued, 'good Lord, my dear Philbin, you can't be reduced to books as a medium of exchange in these times! It's a very bad choice. I would rather suggest kitchen hardware, or — or anything else you happen to have around the house. Almost anything seems to be worth more at the moment!'

He laughed nervously, and Philbin laughed with him, albeit ruefully, busying himself with restringing his pack-

age. 'Well, no harm done,' he said, forcing a grin. 'Thanks, Chickering! Sorry times are so bad. Be seeing you soon, I hope.'

'Right you are,' replied the dealer. 'Drop around one day and we'll have a spot of lunch together. Glad you looked in!'

Philbin raised a thin hand in valediction and turned away toward the door of the swank little shop. In his mind he counted, — à la Monte Cristo, — 'Six!' All the best dealers in town — and no one wanted his Prosser firsts. They were n't complete, of course — only five volumes. But even so! Hunching the package under his arm, he rattled the coins in his left-hand trouser pocket. Two coins are not so easy to rattle, particularly if they are so small and thin as dimes; and that happened to be all the money Philbin possessed now.

His shoulders drooped as he opened the door. The autumn weather had become brisker, and his blue summer suit, though it looked more or less all right, seemed flimsy without an overcoat. He went slowly down the one flight of stairs to the street. In his mind he carried a vivid picture of the outer room of Chickering's shop. The long tables, the beautiful built-in shelves, the fine bindings — but, more than this, the long array of backs and titles, rather undistinguished to outward view, among which might readily

be identified certain rare things in literature, presented in the very first copies, to be ignored by a contemporary public that did not realize what it was passing by.

The thought of such book histories never ceased deeply to stir Philbin. And even now, as he shrank on the stairs from the prospect of facing the shrewd November wind again, once he passed that outer door, his package felt somehow warm within his arm and as though he clasped a living thing to his breast. Prosser's works — how had he ever spurred himself into the mood to part with them? Desperation only. They remained his sole possession of value.

II

He pushed at the street door. The catch stuck, and, as he wrestled with the knob, the package was about to slip from under Philbin's arm when a hand steadied it. Another hand pushed at the door, which opened. 'Thanks,' murmured Philbin, craning round as he went through, in order to see the man who followed him.

The man's hair was iron-gray, what there was of it to be seen. His rather large face was leathery and seamed and lined, but his brown eyes sparkled as though he were very young. 'Disposing of some books?' he said, pleasantly enough; then, as Philbin started, surprised, 'You see, I was up there too, just now — over by the window.'

'Oh — you know Chickering?' asked Philbin.

'No, not at all — nor does he apparently know me. Strolled in by chance, that's all. Looking for a Lionel Johnson. No one collects him any more, but I do. Found what I wanted, too. Eighteen ninety-five edition of the poems — one of twenty-five copies — his signature.' He held a thin volume under Philbin's eyes in the

shadow of the arcade entrance to the building, and the latter noted the slightly faded autograph with that silence almost of awe which is a hallmark of the true devotee of books. 'Beautiful,' he murmured. "'The Statue of King Charles,'" "The Dark Angel" — those are great poems!' Then, queerly enough, he broke off with a rather discordant laugh.

His new acquaintance looked at him inquiringly.

'I was just thinking,' said Philbin, to explain himself, 'that Chickering has made a sale after all!'

'Meaning?'

'Well, he was telling me up there how particularly terrible times were in the rare-book business.'

'Yes — I know — I could n't help overhearing a little. I say,' the other exclaimed, 'look out there — your package's coming untied!'

Sure enough, in his nervousness Philbin had not secured the wrapping of his books properly, and now again the package slipped even more disastrously from his weak clutch as a passer-by jostled him. Books and wrapping paper collapsed on the pavement. Both stooped to gather them up. Philbin's acquaintance proffered a volume. 'Prosser's *Brig o' Dread*, I see,' he remarked. 'That was his earliest.'

Philbin accepted the book. 'Oh, you know his work?' His face was alight with a feverish flush as he struggled to bundle together the package.

The other nodded. Then he said, 'That was a first. Are they all firsts?'

'All; though all I have is five,' returned Philbin earnestly. 'But they're his best — his early stuff. Of course I have the other more popular ones too — in later editions.' Suddenly he flushed. 'I would n't have you think,' he said, 'that I'd sell these to-day if I were n't —'

The other eyed him keenly.

'Don't worry,' he said. 'Once, God help me, I sold a specially inscribed Thomas Hardy. You are n't half a criminal. But apparently you can't rid yourself of your Prossers?'

'Well, you see, the market's so shot that even these —'

'Yes, I know. And Prosser is n't quite the collector's item he was. But you really *have* to sell those books, don't you?'

'I've finally come to that,' said Philbin briefly, and without warning his teeth began to chatter.

'I'll tell you,' said the other suddenly. 'Hi, Taxi! . . . How about coming up to my place and letting me have a look at them? I'm something of a collector.'

III

Philbin found that he could only nod. In the cab he sat curled over his package of books. The fact that he had not eaten for twenty-four hours was suddenly borne in upon him.

He managed to follow his acquaintance into the lobby of a superb East Fifty-Seventh Street apartment house, whence they were borne aloft. Somebody took his hat at an apartment door. And then, somehow, he was comfortably cushioned before a large fireplace from which came cheery cracklings. A person in a striped waistcoat was handing him a ruby glass on a silver tray.

He sipped desperately at the sherry, and the daze that had held him cleared. His companion, beside him on the davenport, had the package of books.

'Mind if I open it?'

'Please do,' Philbin was able to say.

There ensued a moment of silence. 'Dealers' prices still in them,' murmured the other.

'Yes,' said Philbin. Speech seemed forced from him. 'Sizable, were n't they? You see, well — I've had my flush times. And then — that was the top of Prosser's market, I guess. I could n't hope to get those prices now. But I thought —' He broke off.

'You really want to sell them?'

'Good God, no! I have to!'

The other appraised Philbin's vehemence.

'Everything's gone to pot for me,' Philbin ran on. 'I can't get a job. I can't write. Why, I can't even seem to *think* these days.'

'You're a writer?'

'I used to be. Emery Philbin, if you've ever heard of him.'

'Why, of course! Emery Philbin — *The Thorn Thicket*. But that was a best-seller!'

'Yes. That was the top of *my* market. A long time ago.'

'Emery Philbin,' mused the other. He gazed hard at the pale face near him. Suddenly he sprang up.

'Emery Philbin, we're going to have lunch together. And I want to buy these books!'

'Thanks.' Philbin stiffened. 'But I could n't let you. You'd only be doing it —'

'Not at all. At how much do you value them?'

Philbin said slowly, 'At a price no one could pay.'

'It happens,' returned the other, 'that I do too. Give me the pleasure, at least, of expressing my — let's say my vanity. You see, Philbin — I'm Prosser!'

A BIRD'S REASON

BY CHARLES D. STEWART

I

AN appreciative reader, a man of considerable scientific knowledge, inquires whether I have ever made any observation upon birds which would help solve the mystery of nest building. He writes, 'Have your eyes ever lighted on any evidence of how birds make nests — whether by instinct or by tuition?' And he further says that in quest of information under this head he wrote to an ornithologist at Harvard who replied that he did not know of any treatment of the subject. 'All I could learn,' he continues, 'was the information derived from an Italian butler in New York who vouched that he had seen a canary make a good nest in the servants' quarters — a canary that had never set eyes on any other nest, and that had no guidance.' And so, while it is generally taken for granted that birds make nests by instinct and without instruction, any real evidence on the nature of the process seems to be scarce.

If my correspondent will allow me, I will add a third element to his query and ask, 'Or by intelligence?' For, if a bird has to be taught to make a nest, it is evident that the older one had to be taught, and so on *ad infinitum* till we are forced to the question, 'Who was the original teacher and inventor? Or was the highly ingenious art of nest making slowly "evolved"?'

I will say that I do know a little of how nests are built, because a bird and

I once built a nest together; and I know what I did and what the bird did. I did not do this as an experiment or with the idea of adding to human knowledge, though it turned out to be rather informing in the end. I will state the facts and the reader may draw his own conclusion. My conclusion was that nest building is not simply automatic. It does not consist of the instinctive performance of a series of steps — step number one and step number two; for if it were that, how could a bird correct my mistakes in nest building and then carry on to a proper result?

II

Here are the facts. I was sitting at the table eating breakfast and looking out of the window on a very windy day in spring. As you probably know, a robin likes a flat place to build on, and it usually picks out a shelf-like situation. A robin, recently arrived, had chosen the flat top of a cedar fence post near the window. This post had another post nailed to the side of it and sticking up to form an arch of a gateway between my place and that of my neighbor; and this flat top, with the other post forming a little backing, seemed to be just what the robin wished to build on and against.

The wind was so very strong that no straws or twigs that the robin brought would stay where she put them, but

would immediately blow away. I was interested to observe that she met this condition by poking the pieces of dry grass or hay down into the cracks on the top of the post. This held them and would serve for an anchorage to weave and fasten to. We have all seen robins build in cigar boxes and in all sorts of protected and shelf-like places; but this robin, when the wind blew her material away, knew how to handle the situation.

Here entered another side of the problem. There were a lot of sparrows about which I had not been able to get rid of; and a pair of these began carrying away the material as soon as it was deposited on top of the post. They came back time after time, while the robin was absent, so that she made no headway at all in spite of her constant work. I saw that in this state of affairs the robin would never get her nest built. And I kept watching even after breakfast was over.

This finally got my ire up. I am a believer in free government and rugged individualism and a square deal to the extent of being left strictly alone; so I decided to shape a nest myself of about the robin size, with plenty of material, and place it out on the post with the edges tucked firmly into the cracks. And then the humor of the situation struck me and my wife. How would the robin act, and what would she think when she came back and saw all that had been done in the few moments since she left?

I shaped a nest of assorted materials — mostly coarse, stiff grass and small twigs. There was some sphagnum moss lying about, which had come around the roots of some nursery trees recently arrived, and I worked this in, together with a few pieces of white string; but I think now that this was very poor practice, because I have not noted that a robin uses such fine, flimsy material in the bulk or body of the nest.

When it was all ready, and good enough to lay eggs in so far as I could see, I watched till the robin had flown away on another trip, whereupon I hastily anchored my nest in place. And then I waited at the window, anticipating the fun of seeing the robin eye the work, and wondering what puzzlement and what final outcome would develop.

The bird came back, and after a very little inspection of my handicraft she set to work and rebuilt the nest right there, without having to go for any more material. She accepted my work as a whole, but corrected mistakes here and there, sewing and stitching till she had quite made it over. A bird's bill, with a string or piece of grass held near its tip, is virtually a needle and thread. She would take a loose end and poke it right into or through the nest, and take another piece and weave it up into the edge, and so she worked away for quite a while; and of course she had the whole framework finished in a mere fraction of the time it would usually take a robin to build a nest. With this done, she flew away and came back with a little pile of mud on the end of her bill; and she kept this up till the interior had received the usual coat of windproof plastering. Then came the finer lining, the material for which she brought herself, a very little of this being required. A clutch of eggs was laid and a family of robins successfully raised.

These are the plain facts, out of which you may make what you can; and they constitute my only actual experience and technical observation on the art of nest building. As I say, it did not consist of step number one and step number two, and that carrying out of an automatic record on the brain which instinct is supposed to be — always perfect and infallible so far as its specialty goes. I was certainly not in-

fallible; and the bird looked over my work and made it right. And what bird ever had such an experience before — or how often in the course of bird history? Yet she dealt with it.

Of course birds do acquire by instruction some of the things they know; they have a sort of tuition in singing and food getting. Canaries may be taught little refrains with the whistle or flute; and a canary that is brought up in solitude, while it will have a number of native tunes, will not have anything near the repertoire of a bird that has taken lessons from others. Consequently canary raisers send their canaries to singing school, as you might say; they keep them in the company of the cultivated and expert singers until they have themselves become singers of scope. But it is my private opinion, a mere guess, that birds do not receive lessons in nest building.

III

And now as to the question of evolution of the art of nest building in all its various and ingenious forms.

I have before me the nest of a Baltimore oriole which I had kept for further study and admiration. The cord with which it is tied or suspended to the thin twig of elm is a piece of strong cotton string such as grocers use; and besides this long piece of string woven around the mouth there is not another bit of material in the big pouchlike nest except the down from thistle or milkweed. The bird had searched about, no doubt with endless patience, till it found this necessary piece of cotton string; and, having found that and got the structure started, it went ahead with its weaving of the rounded, symmetrical pouch out of the milkweed down.

Now when this country was inhabited only by the wild Indian, not so very

long ago, where did the oriole get the white cotton string? What did it use in place of this strong, flexible, and dependable article of commerce? How did the race of Baltimore orioles come to substitute white cotton grocery string for their original staple of manufacture? And how comes it that an oriole setting to work will search and search until it has found a piece to go ahead with? They certainly know it when they see it; and this looks very much like observation or thought or intelligence. Instinct and evolution are supposed to be processes of very slow growth, things of aeons or ages; yet it was only yesterday, as history goes, that there was not a grocer in Wisconsin!

I have said that the oriole's nest is suspended with the cord; but I might better say that the edge of the nest, the open neck of it, is fastened at one edge to the hanging twig. How does the oriole get that string-bound opening shaken or flung out upon the air, and how does it get the whole thing started?

I had a chance to learn this once when an oriole was building on an elm right near a dormer window; but at that time I was building the house and I did not take time to sit and watch day after day. If I had it to do over again I would let my house wait and find out how the oriole builds her own.

The idea in building on the far and final twig of a pendulous branch of elm is, of course, that the red squirrel cannot approach and steal the eggs. I have seen a red squirrel try this feat, going out farther and farther toward the end from which the nest was suspended on a very thin and hanging twig. The red squirrel would crouch down on his belly on a branch where it was still thick enough to hold him, and stretch and reach to his utmost in order to get

his claw on the eggs. But the Baltimore oriole had outwitted him — it could not quite be done.

Now as to the process of evolution. This would consist of rudimentary and imperfect types of nests, and then a gradual advance to a more complex and perfect and specialized type. Well, then, if you were visualizing an imperfect, a not-quite-finished type of oriole nest, what would you leave off? Would you leave off the bottom, or the sides of the pouch, or the string that holds it to the support? It seems evident that an oriole's nest must be complete or it is no nest at all. How did it evolve? Or was it made that way in the first place?

Right at this point I am likely to arouse a certain type of 'evolutionist' — about as opinionated and touchy a person as I know. He takes alarm at once if he suspects you are trying to prove something. He is about as

pernickety as the most aggravated sort of Fundamentalist. But I am only concerned with facts, and am willing to follow where they lead.

If the bird learns from its elder, by tuition, where did the original bird learn the art? Where was the intelligence that originated, perfected, designed the various types of nest? And as for 'instinct,' what is that but a name for the ability to build a nest and do other like feats?

I have said that except for the piece of string the nest was made wholly of vegetable down. I must make a slight correction.

In the bottom, as support or lining, there is a very little of grayish hair. It looks very much like my wife's hair. But on taking out a strand and examining it closely I find it is not quite fine enough. I have added this detail of the scant lining for the sake of accuracy.

THE FIGHT ON THE SECURITIES ACT

BY BERNARD FLEXNER

A PERSONAL word by way of preface to forestall the criticism that what I shall say is more of the stuff that has been said or written by men who know little or nothing of the securities business. I am not an amateur. I am a lawyer familiar with shares of stock, bonds, debentures, warrants, options, and the innumerable other pieces of paper. During twenty-five years I have supervised issues of securities by 'the company,' have passed on the legal details, for investment bankers, of the issues of millions of 'senior securities' of public utility operating companies, and also, alas, I have been an investor.

The views I express here I know from personal conversations to be the views of many lawyers and bankers in New York's Wall Street who are as disgusted as any farmer or small business man in the far 'interior' with the revelations before the Senate Investigating Committee. But these men feel that the Street has much to offer in honest financial guidance to the industrial and commercial community. They see that the methods of distributing securities as heretofore carried on must be reformed; that the conditions which have already ruined half of the investment banking houses will ruin the rest if they continue; and that the investment banker has got to be satisfied with smaller profits than he has made heretofore. They are aware that the country at large is now thoroughly suspicious of and effectively angry with the Street to a degree never before known — and that, for the first time in all its history of conflict with the country as a whole, the Street has not produced leaders astute enough to defend it intelligently. With enlightened self-interest, therefore, they realize that Wall Street cannot

expect to continue as a stable institution in which they can make even a modestly comfortable livelihood at the work that interests them except by assuring the rest of the country of the kind of honesty in securities flotation and financial management which the Securities Act enjoins.

Because of jobs, 'connections,' the friendships that men curiously acquire with others of different ethical standards, or hopeless cynicism, these individuals do not dare or choose to be publicly critical. This article calls the bluff on an ugly campaign of propaganda, and very regretfully has to be equally ugly in calling a spade a spade. But when I speak of the Street — meaning not only Wall Street, but State, La Salle, Montgomery, South Broad, and Carondelet — I refer only to the dominant class in the Street. In no way do I impugn the intelligence or motives of the multitude of silent nonconformists, many of whom, I know, would like to sign this article with me.

I

Last June, the Securities Act passed both houses of Congress without a dissenting vote. A few months later the cocksure lawyers of the Street's banking houses, who never before had had difficulty in 'finding a way around' legislation regulating 'business,' discovered that the Act was substantially lawyer-proof. Then began a well-subsidized campaign of propaganda against the Act to force its abolition under guise of amendment. This campaign, led by members of certain well-known New York law firms, has been based on the wildest exaggeration. For the first time since the stupid fight the Street made in 1913 against the adoption of its now beloved Federal

Reserve System, the acumen of its legal henchmen in demonstrating to courts how *little* a statute *should* mean has been put into reverse to demonstrate to Congress how awfully *too much* a statute *could* mean.

The campaign has now reached a point of pressure where there are intimations that it may succeed in opening up the Act for amendment at this session of Congress.

One fact should be bluntly understood at the outset of any discussion of this subject. The Street's sugar-coated purpose, as the public has been given to understand it, is to persuade Congress to pass 'just a few comparatively minor amendments' to the Act to 'make it workable' and to 'remove unnecessary interferences with business.' As to the broad objectives of the Act, all its opponents say that they 'agree in principle.' But every realistic believer in these objectives knows that the real hope and purpose of these helpful friends in wanting to open up the Act for amendment is to take full advantage of any opportunity that may present itself in the accidents of the legislative process to destroy its effectiveness completely. Too much money and effort has gone into this campaign of propaganda to justify a purpose of mere 'clarifying' amendments. Amendments which appear innocent enough will be artfully loaded with ingenious weasel words; seemingly casual changes from section to section will attempt to confuse the careful interrelations which give the Act its lawyer-proof quality.

II

The steady stream of propaganda takes two main lines of attack. One is a general technical raking over of the Act to suggest the uncertainties or injustices of its application to extreme 'supposititious' cases. This approach helps to divert attention from the fundamental social issues at stake, on which the public can see eye to eye with the defenders of the Act, to innumerable squabbles over technical detail in which the public won't know where to side. Eminent financial law firms in New York and elsewhere, whose members feel no particular necessity to make their legal opinions fit a purpose of attack upon the Act, consider such technical objections laughably ridiculous. Quietly

and privately they have advised their banking clients to operate under the Act with the assurance that, as a practical matter, it exacts no more of the directors and bankers of an issuer than can fairly be expected under a combination of common law and a decent standard of securities ethics.

The second method of attack, really insidious, appears as a 'practical' argument for economic revival in this period of emergency. Whether or not the Act, *in vacuo*, is fair or unfair, whether or not it is socially expedient from the long-term point of view, the Act must be abolished, at least temporarily, because otherwise the bankers and company directors simply will not give necessary coöperation to the President's plans for recovery. The argument amplifies thus:—

Admitting that the methods of marketing securities used prior to the passage of the Act have mulcted the public of an amazing proportion of the sum 'invested';

Admitting that leopards do not change their spots and that, if left unregulated, the securities business will mulct the public again in precisely the same way;

Nevertheless,

(a) There can be no fundamental recovery until there is substantial reemployment in the so-called capital-goods industries;

(b) There is no way to revive such employment without supplying the purchasers from the capital-goods industries with new funds through the flotation of securities in the ancient public-mulcting manner;

(c) Whether or not justified, directors and underwriters are, as a pragmatic fact, on strike against risking the liabilities imposed by the Act;

(d) *That strike is preventing new securities issues;*

(e) If the Act and the strike against it disappear, new flotations of securities will — within a period that will mark the difference between continued depression and immediate recovery — supply those who want to buy new capital goods with funds sufficient to give enough orders to the capital-goods industries to absorb their unemployed;

(f) The loss by investors and the loss of

all the social purposes of the Act are a necessary — and cheap — price to pay for the certain recovery which will follow.

But — even a member of counsel for J. P. Morgan and Company, one of the severest critics of the Act, says frankly in *Barron's Weekly* for November 6, 'It is still too early to prove conclusively with figures either that it is or is not the fault of the Act that no American companies of any size are doing any capital financing.'

There is a famine of new securities. But the truth about that is: —

(1) For a variety of fundamental economic reasons, which the Securities Act in no way caused and a recurrence of which it is designed ultimately to prevent, there was not before the adoption of the Act, there is not now, and there may not be for some time, any investment demand for long-term industrial obligations of the ordinary type at a bearable rate of interest to the issuer.

(2) Whenever there has been a market — as there has been, for instance, in the distillery and mining shares which at the present moment are popularly considered to hold great speculative possibilities — issues have been offered and directors and banking houses have taken the risks of the Securities Act in spite of all its supposed terrors.

(3) Refunding operations are being deliberately and uneconomically delayed with the help of short-time bank loans, not only because of the unsatisfactory condition of the long-time money market, but also because of the illusory hope, deliberately fostered by Wall Street to create a lack of refunding operations as an argument against the Act, that the Act will be repealed by amendment shortly after the first of January.

As reasonable corollaries, it seems fairly certain that, however regretfully, the risks of the Act will be taken (1) by the bankers, when long-term industrial bonds for purchases of new capital goods or refundings can be floated by them *at a profit*, and (2) by those directors of companies who, as stockholders or otherwise, feel a genuine interest in their companies when, with the hope of repeal of the Act gone, they face the alternative of taking the risks of refunding or of defaulting their companies' maturities. To be sure, there is the type of direc-

tor who will not undertake the burden of mere due care and competence required of him under the Act — the inevitable lawyers who should be professional advisers and not directors, the scenic directors who 'dress' the annual report to the stockholders, the observers representing short interests who are only on the board to get inside information. These, just as they threaten to do, will not take the risks and will get out, and the companies and an honest business society will be the better for their going.

Fundamental economic factors against an immediate, long-term, non-speculative capital market certainly include,

From the borrower's side: —

(1) The shrinkage of the credit-worthiness of many companies according to normal investment standards;

(2) Unwillingness, after the harrowing experience with debt in the last five years, to finance with new debt at exorbitant rates;

(3) Sheer lack of national need for general industrial plant expansion at anywhere near the rate of the last decade; on the whole, as the President has pointed out, the nation's capital equipment is already built.

From the lender's side: —

(1) Fear, however little justified, as to the long-term value of the dollar;

(2) The drying up of institutional investment because of the troubles of insurance companies, banks, building and loan associations, and so forth — possibly the permanent loss of the market once provided by the 'secondary-reserve' bond account of commercial and savings banks;

(3) The drying up of private savings out of which came the great aggregate of investment by small investors;

(4) The gun-shy attitude of investors with funds, *who are themselves on strike against the bankers*, and who want at any price the safety that can be found only in government obligations.

These factors — and not a legal confirmation of an ethical standard that men who use other people's money must be honest and competent — have dried up the securities market. No Securities Act interferes with short-term customers' loans by banks. Yet, even under government urging, there has been no substantial credit expansion in

this field. When lenders will not lend, nor borrowers borrow, for a period of more than a few months or weeks, what reason is there to expect that long-term open-market lending will immediately boom after the repeal of the Act?

Even counting the rush to get issues under the wire before the Act became effective on July 27, there was little more financing in March, April, May, June, and July than in August, September, October, and November.

Railroad and municipal securities are exempt from registration under the Act. (They are within its scope only to give a buyer relief against his *immediate* seller who misrepresents securities.) But there have been no issues of railroad securities offered to the public since the operation of the Act, and only a few municipal issues even by municipalities of the very highest credit rating. Railroads and municipalities alike are financing themselves as best they can through the Federal Government. Where refinancing is not possible through the government, they simply default.

However much economists may decry an overbuilt industrial plant as a whole, it is in these very fields of railway and municipal finance that the need of new capital investment is really pressing. Competent observers estimate that the railroads could profitably expend well over one billion dollars for new equipment and deferred maintenance. Despite all the political inadvisabilities of becoming further involved in the railroads, however, the government is being driven by the force of circumstances to offer them funds in generous amounts for capital expenditures through the Public Works Administration and the Reconstruction Finance Corporation — and even for refinancings, where the government has no incentive to lend to create work. All this simply because the bankers cannot raise the money. And it is not only the perennially bankrupt roads that are coming to the government. The Pennsylvania — a credit risk comparable to that of any industrial company which might presently contemplate new capital issues — has applied to the government for equipment and construction loans aggregating approximately \$85,000,000 to carry

out its electrification programme. Certainly this would be a juicy issue for private distribution if it could be distributed. In view of the ingrained prejudices of the great banking houses against government 'interference' in any kind of business, this financing of the railroads by the government has enormous significance.

Again, the inability to float municipal bonds is not confined to bankrupt municipalities. Few public bonds stand on a better basis than those of the Port of New York Authority, operator of great bridges and of the famous Holland Tunnels. It serves the busiest harbor in the world and is backed by the moral obligation of the two rich states of New York and New Jersey. The Authority has already floated \$140,000,000 of bonds. But it, too, after months of argument as to terms, during which there was plenty of time and incentive for private financing if it could be had, has come to the government for a loan of approximately \$40,000,000 to build a new tunnel under the Hudson River.

The City of San Francisco, with its excellent credit standing and with tax delinquencies among the lowest in the country, recently attempted to sell \$13,500,000 of bonds for public improvement. The only private banking syndicate which was interested bid on a 6 per cent basis. This bid was denounced as 'unconscionable' and, 'to say the least, one of non-coöperation in the recovery programme' by Secretary Ickes, who had offered the city on behalf of the Public Works Administration a 30 per cent grant of the cost of the improvement.

If the bankers, unhampered by the Securities Act, are unable to take care of the needs of public bodies and railways, their wail about issues stopped by the Act cannot be taken seriously. The Street has never met the challenge that it refer by chapter and verse to expenditures for new capital goods that have been stopped by the Act. Here and there, perhaps, the refunding of an industrial maturity that was not immediately due, or that could for a short time be carried on a bank loan, may possibly have been rendered temporarily impracticable because the bankers or the company's directors were frightened, not by the Act,

but by the absurd gloss that Wall Street lawyers have put upon the Act. *But* — and this is a big but — the squawking over refundings is a patent bluff. Despite all the ominous predictions that defaults *would* occur, no default actually *has* occurred! As for the list of imminent refundings totaling \$1,500,000,000 which the Act is charged with preventing, even a superficial examination of the securities and of their low quotations will convince one that many of these companies will not be able to refund in any event; unless they have a miraculous improvement in earnings, they will have to reorganize.

There is, therefore, no proved causal relation between the Securities Act and the lack of capital issues in the last six months. All the hair-tearing over the Act is based upon a *guess* as to what bankers and directors would do if conditions were satisfactory from their point of view except for the Act. But a *guess* that bankers will not spurn their profits, and that directors will not default their maturities when the capital market will take their issues, is a lot closer to the hard-boiled common sense of the Street than a *guess* that all bankers will sulk forever poor, and that all directors will abandon the many things they get out of a corporation besides their fees and go home.

III

The real issue is not whether the Act could be made to look prettier on paper — but whether, within only eight months of its passage and in the midst of a general Wall Street attack upon the New Deal, the Act should be opened up for amendment by this Congress. That entails grave questions of legislative policy, and particularly of New Deal policy. The Act stands as a symbol, promising a better and freer economic world. Before the sheer power of a well-financed campaign of sabotage is permitted to slash into it, the burden of proof is on the opposition to show not merely that it is uncomfortable for them and their kind, — for it was intended to be that, — but that it constitutes an immediate, unbearable burden upon desirable elements in the country.

The Securities Act was perhaps more

carefully worked over than any other product of the first New Deal Congress. It is not a doctrinaire brainstorm. It is carefully based upon the solid foundation of British experience with the English Companies Act, which in turn is the evolution of years. In substance, the Securities Act *is* the English Companies Act, modified to come within the constitutional power of the federal legislature to regulate interstate commerce, and to recognize the fact that in England, except for a very unusual Hatry or Kysant, the distribution of securities is a decorous, traditional business, offering its wares only to institutions and wary family solicitors, while in the United States it has been a high-pressure racket that jangled every housewife's doorbell.

The Act itself was under consideration in Congress for more than two months. The extraordinarily able House Committee on Interstate and Foreign Commerce and the chief of the Legislative Drafting Bureau in the House studied it phrase by phrase, section by section, for nearly a full month. Every objection now made to it was, at some time in this long process, raised, considered, and deliberately rejected.

Any statute adopted after such careful consideration — unless it really seriously and provably throws things out of joint — should be given a fair trial period of at least a couple of years. It needs to be shaped by administrative rulings and court decisions into a practical instrument before being generally revised by the legislature. This caution is particularly applicable to a statute which deals with such a bewilderingly multiplicitous and technical field as the Securities Act, where application to the specific situations which touch the public depend almost more on administrative rulings than on the words of the statute itself.

The unavoidably necessary complications of the Act and its subject matter are, in themselves, very important reasons for not permitting the Street to scramble it by amendment at this session of Congress. Those who have not worked with the machinery for distributing securities cannot be expected to understand its many intricacies and devices. The average citizen does not comprehend how thorough and ingenious is

the protective technique in the creation of new evasions which constant experience with emasculation of state and federal statutes has developed in the Wall Street lawyer. Indeed, the whole technique, training, and tradition of the Wall Street lawyer is centred, not upon conformity with the law, but upon finding a way to get around it — a technique which, until the adoption of the Securities Act, was as a practical matter undefeatable. The necessity of caulking all the chinks to balk this expert mechanism of evasion made the problem of drafting the Act extremely difficult. To avoid those opportunities for evasion which always climb out of the scope of the law up ladders of too-specific technicalities, the Act had in many places to be couched in broad language which the draftsmen clearly recognized might give rise to difficult border-line cases. Because the adaptability of the securities business to changes in form made it certain that a hole in one section or between sections would be immediately and exclusively utilized to render the rest of the Act worthless, it was necessary to exercise especial care in articulating the several parts of the Act into a unified whole.

In a statute which has to be so carefully articulated because it is so certain to become the target of legal sharpshooting, the subtle, casual change of a significant word, phrase, or single short section may open up infinite possibilities of trouble in all the rest of the Act.

Every generous 'dollar-a-year' suggestion made by the lobbyists of the Street has upon examination proved to open up — sometimes subtly, sometimes crudely, but always under the guise of improved 'workability' in some important feature of the Act — a hole through which a coach and four could be driven. And once a hole is made almost anywhere in the Act, through which financing can be carried on free of its liabilities, the entire purpose of the Act is lost, since the legal ingenuity of the Street may confidently be relied upon to find a way to put all financing of any kind through this one hole.

Consider, for example, the innocent-looking suggestion to eliminate Section 15 — the very heart of the Act — which holds liable any person controlling any other

person who is liable under the Act. The reason advanced for this proposed change is that it is always difficult to resolve border-line cases of what constitutes 'control.' But such an elimination would practically repeal the Act: by the simple device of organizing judgment-proof subsidiaries, all flotations could be effected by the real parties in interest with complete escape from the liabilities of the Act. And let no one suppose that none but the 'fly-by-nights' would take advantage of such an opportunity! When the device of the holding company was discovered to avoid the jurisdiction of the Interstate Commerce Commission to pass upon railroad consolidations under the Transportation Act of 1920, even J. P. Morgan and Company and Kuhn, Loeb and Company and their ultra-distinguished counsel pushed through that hole with Alleghany and Pennroad Corporation, respectively.

It becomes clear, then, that no matter how carefully the defenders of the Securities Act may study the formal proposals for amendment offered in Congressional Committee by the banking lawyers, a change of a phrase or of a word or two — well prepared and deceptively simplified with the art that conceals art — may seriously injure the fundamental purposes of the law. And if such proposals should be thrown into the hurried last moments of a committee hearing with the help of a sympathetic member of the committee, or offered as an amendment from the floor in the hurly-burly of debate, the surprised defenders of the Act would not have time enough to guard against ulterior subtleties. The mere opening up of the Act for 'minor' amendments, therefore, will in itself be a great victory for those who want to reestablish the good old days of Wall Street's 'gold-plated anarchy.'

Under such circumstances, it is beside the point to charge Congressional leaders with pig-headed stubbornness in maintaining that this legislation should not, at the present moment, be subjected to even minor amendments. Theirs is the grim and realistic understanding that the opposition may — and if the chance offered, undoubtedly would — go dangerously far in following through the most innocent beginnings of an

opening-up process. If this be challenged as an unfair attitude to take, one can only reply that Wall Street has brought this distrust upon its own head. The outside observer who has followed the disclosures from the witness stand of the Senate Investigating Committee, and who realizes the stakes now at issue and the impossibility of changing ingrained habits of mind, has no choice but to regard the Street's 'constructive criticism' of reform legislation with *prima facie* malevolence.

Another strong reason for keeping the Act inviolate from Wall Street at this session of Congress is the extreme political unwisdom of permitting a powerful class against whom a reform statute has been directed to weaken it before it has had even a chance to operate. Such an event would serve to convince the public that Wall Street had the future of the law so completely within control that it might safely be treated as a dead letter. Before a reform statute can become really effective its legal rules have to soak into a business community for a long time until practical methods of operation within the rules become business habits. As another writer has put it: 'If the Act ultimately succeeds, it will not be through any mere compliance with its lettered provisions. Its effects must go deeper. It must reach men's attitudes as to the ends and methods of economic enterprise. The Act will never protect the gullible unless it alters the premises of the sophisticated.' No reform statute can be expected to have this effect if there hangs over it a constant threat that powerful interests can force changes in it whenever they discover new ways in which it pinches them.

A Congress dealing with reform legislation and opposed by the biggest of big interests, which have always managed to beat their way through reform after reform until that ability has become common knowledge, must remember that once it yields under fire, even on minor matters, the small-business community will never believe that the reform has any fundamental stability. There will be no assurance that even its broadest purposes may not be amended from year to year as Wall Street dictates, with the consequence that the Securities Act and the principles of honesty

which it embodies will never become part of the accepted business habits of the community.

Indeed, the vehement opposition which the Securities Act has aroused is in itself a completely adequate reason why a New Deal Congress should dig in and hold! This Act is the very keystone of the New Deal. Together with the Glass-Steagall Bill, it was the only permanent reform made in all the amazing last session of Congress. In a peculiar degree it symbolizes the spirit of the New Order in its challenge to the Old. Almost as important as its actual details will be the demonstration to Wall Street that these details, dictated as they were by the broad general interest of the nation, cannot be sabotaged by any combination of private interests, however powerful. At this imminent organized challenge within the first year of the statute, Congress must teach the Street that the New Deal *can* beat its lawyers and its money. Else we have only 'scotched the snake, not killed it.'

IV

The real point of attack upon the Act is its civil-liability provisions. Under these provisions, bankers, company directors and officers, accountants and other experts employed in the distribution of securities, are liable to the purchaser if, through willfulness, carelessness, or incompetence, a material misstatement has been made in their published selling story about a security, and the security drops below its original offering price with loss to the purchaser. The details of registering the security with the Federal Trade Commission, the waiting period before the public offering which deflates high-pressure salesmanship, the risks of a stop-order by the Commission after sale begins, are unfortunate and irksome, but tolerable. The criminal provisions do not matter. But the idea that the purchaser of a security gone bad can sue the seller to take it back and return the money violates every rule of 'business' that the Street ever heard of.

This 'outrageous' liability is the real nub of the objections to the Act under the smoke screen of all the other objections; *this* touches the pocket nerve! But it also

happens to represent the principle of 'seller beware' which the President particularly wanted the Act to add to the crude old common-law maxim of 'buyer beware.' A banker or corporation director expects his Rolls-Royce dealer to take back from him a limousine not of the kind or quality it was represented to be; but for his own customer to ask *him* to take back sour securities is sheer cheek! Is there, then, something akin to Sovereign Immunity in the securities game?

Now what are the liabilities imposed on the seller of securities by the Securities Act and by the British Companies Act with which it is so often compared?

Both Acts demand a statement describing the securities to be sold, and in the statement certain specified information is required. Under the American Act this is called the registration statement, and has to be filed with the Federal Trade Commission twenty days before the security can be offered for sale to the public. Under the British Act this basic statement is called the prospectus. Wall Street claims that the American registration statement requires too much. It wants to know about a lot of 'trivial, gossipy details,' such as bonuses, preferred lists, secret commissions, the interests of bankers, directors, and large stockholders in inside deals with their companies; it also insists on going into the accounts of plant and property depreciation back to 1922 in order to reconcile the ingenious figures offered the Bureau of Internal Revenue since that time.

It cannot be too often repeated that after the registration statement is filed *no liability of anyone* to a purchaser of a security arises under the American Act unless that registration statement 'contained an untrue statement of a material fact or omitted to state a material fact required to be stated or necessary to make the statements therein not misleading.' Not until a defendant is *prima facie* guilty, therefore, does he come within the possibility of being liable. The words 'material fact' are taken verbatim from the English Act. The language concerning omission to state a material fact is a spelling out in the American Act of the interpretation of the scope of 'untrue statement of material fact' which British courts

construing the British Act have made in the celebrated Lord Kylsant case and others.

What is a 'material fact'? The interpretation of this language in the American Act will of course follow that of the English Act from which it was copied. The English courts have interpreted 'material fact' — following the recommendation of Lord Davey's Committee in the report to Parliament which laid the basis for the British Act of 1900 — as a fact 'which could reasonably influence the mind of an investor of average prudence'; that is, something really important.

The objection is sometimes made that such a definition is not sufficiently concrete — that corporation directors and bankers cannot feel comfortable until the Act is amended to say 'only this and this and this are the material facts which you have to tell the investor.' The Act does try, so far as is humanly possible, to meet this self-distrust of judgment and disinclination to make a frank disclosure of essential facts. It painstakingly enumerates in detail in Schedules A and B the *kinds* of facts which the registration statement is required to cover. And *no other facts*, even if they might otherwise be considered 'material,' are required to be given in the registration statement, or can lay the basis for any liability, *unless* their omission makes misleading other facts included in the registration statement pursuant to the requirements of these schedules or otherwise. Even facts required by the schedules are only *prima facie* 'material'; they will not ultimately be considered 'material' unless they meet the test above stated that they 'could reasonably influence the mind of an investor of average prudence.'

The amount and nature of detail required to cover each fact of this kind will only be such as are called for to provide a substantially truthful disclosure, not a meticulously accurate one. Considering the multifarious differences between issues of securities, and the different things an investor needs to know about each, no Act can do more than enumerate the *kinds* of facts required. Nor can it prescribe just how much substantiating data has to be submitted to make the presentation the whole truth and not merely, through omissions, a half-truth. In the last analysis, human conduct can be

judged only by standards, and not by exact rules. The English have applied this same standard of 'material fact' for over thirty years. Perhaps the best example of the kind of half-truth against which the Act tries to protect the investor is that for which the English sent Kysant to jail. The prospectus of the Royal Mail represented that its income over a number of years averaged a certain sum: *it did not disclose* that the greater part of that income was derived from non-recurring reserves.

The charge that juries will judge with hindsight, reasoning that to avoid a half-truth more data should have been included in the registration statement than a completely honest issuer would have recognized as necessary *at the time*, sounds well on paper, but is not a practical objection. Note that the Act itself does all that language can do to avoid the risks of hindsight; it *already* expressly provides that the reasonable care which will absolve a defendant from liability shall be determined as that which was incumbent 'at the time' of filing the registration statement (Section 11). As a practical matter, rich men have a habit and a technique of obtaining justice in this country. Moreover, the English, with the same kind of legal system as ours, have since 1900 operated under their Companies Act without complaint on this score. Indeed the British courts, which have an admitted sense of the practical limitations of juries and other legal machinery, not only have not been afraid of injustice to the rich on this point of omissions, but have deliberately created, without the basis of the clear language to that effect incorporated in the American Act, their interpretation imposing liability for omissions which give a false impression. The English Act provides the same kind of *civil* liability for misleading omissions in a prospectus which give a false impression as for positive misstatements; its additional provision for *criminal* fines is not for misleading omissions in a prospectus or other selling literature, but for selling in violation of the Act.

What those who criticize the provisions of the American law about statements of 'material' fact really object to is that the basis of liability is not that of the old common-law liability in fraud. That is to say,

affirmative proof of 'intentional' misstatement is not required by the Act. But nobody thinks that a liability based upon intentional fraud is any adequate protection to the American investor. We have this practically useless liability at common law already. Lee Higginson's failure to require, or to disclose that they had not required, a proper audit in Kreuger and Toll was not intentional fraud. In such cases, however, the disaster to investors may be no less grave than if intentional fraud *had been* practised, and the responsibility is clear. Certainly the Kreuger and Toll issue would not have been floated in the way it was if the Securities Act had been in effect.

Under the American Act, therefore, civil liability to the purchaser of a security does not begin to operate unless and until those who offer the security include, in their formal description of it filed with the Federal Trade Commission, a misrepresentation or a half-truth serious enough to affect the judgment of the average buyer in his decision to purchase the security. In short, the misstatement or omission must be something pretty bad. Before suit can even begin, the defendants are *prima facie* not innocent, but guilty. There is nothing, therefore, in the contention that some innocent banker or director may be held cruelly liable because of some wholly unimportant misrepresentation or half-truth which he carelessly permitted to creep into a registration statement.

This should be repeated over and over: No one can incur civil liability under the Securities Act unless and until he has participated in, or can fairly be considered prima facie responsible for, a really serious omission or false statement concerning the security in the formal registration statement filed with the Federal Trade Commission at Washington.

V

The persons potentially liable to a purchaser of any given security are, in addition to the issuing company: —

(1) Every person who signed the registration statement;

(2) Every person who was a director of (or person performing similar functions), or partner in, the issuer at the time of the

filing of the part of the registration statement with respect to which his liability is asserted;

(3) Every person who, with his consent, is named in the registration statement as being or about to become a director, person performing similar functions, or partner;

(4) Every accountant, engineer, or appraiser, or any person whose profession gives authority to a statement made by him, who has *with his consent* been named as having prepared or certified any part of the registration statement, or as having prepared or certified any report or valuation which is used in connection with the registration statement;

(5) Every underwriter with respect to such security.

If there has been a misrepresentation in the registration statement sufficiently serious to start the machinery of civil liability, the issuing company which got the money from the sale of the security must, if it loses the suit, take back the security from any purchaser at the price the purchaser paid for it, not exceeding the original offering price to the public — no excuses accepted.

For others than the issuers, who did not directly get the money, there *may be* an excuse. Even if there was some serious misrepresentation upon which potential liability might be based, it may have been an accident, or an excusable faulty emphasis not appreciated at the time the registration statement was filed, or the result of concealed misconduct of an employee, co-director, or other like person. The Act provides, therefore, that each of those potentially liable, except the issuer who got the purchase price, may escape liability if he can prove upon being sued that, 'as regards any part of the registration statement not purporting to be made on the authority of an expert, and not purporting to be a copy of or extract from a report or valuation of an expert, and not purporting to be made upon the authority of a public official document or statement, *he had, after reasonable investigation, reasonable ground to believe and did believe, that the statements therein were true and that there were no omissions to state a material fact required to be stated therein or necessary to make the statements therein not misleading.*'

In other words, even if the registration statement told the worst kind of lie, any banker or director would not be held liable to the injured investor if he could show that individually he exercised, under all the circumstances of his personal relation to the issue, reasonable care and competence to see that no lies should be told. That standard of reasonable care is the very backbone of the Anglo-American law of negligence, and for generations English and American courts have successfully applied it to business problems fully as complicated in their facts as any that can arise under the Securities Act.

The provision of the American Act that the standard of care and competence required under it shall be that of a 'fiduciary' obeys the strict command of the President's message: 'What we seek is a return to a clearer understanding of the ancient truth that those who manage banks, corporations, and other agencies handling or using other people's money are *trustees* acting for others.'

The charge that this standard of a 'fiduciary' is a confused standard differently interpreted under the laws of different states appeals only to the lawyer who wants a definition so sharp that he can calculate to the inch how closely he can slip by. Everywhere the care of a fiduciary is construed to mean substantially the care which a reasonable and prudent man would use in the conduct of his own affairs. All questions of interpretation of the Act are federal questions. The Supreme Court of the United States will therefore have jurisdiction to review and reconcile any out-of-line interpretations of the standard of fiduciary care which the state courts may adopt. Wall Street lawyers who have long tried to believe in the efficacy of so-called 'whitewash clauses' exempting their clients from responsibility for anything possibly contemplate with fear having to advise clients under such a standard of honesty where whitewash avails not. But the rest of the country, which has for a long time carried on business under the assumption that responsibilities cannot be evaded by words, does not share the apprehension.

The amount of care and competence required of each person potentially liable

under the Act will, of course, vary with his relation to the issue and to the registration statement. The care expected of ordinary corporation directors would be substantially what they would be called upon to give the business if collectively they were the sole stockholders. The demands upon a 'managing director' or upon the corporation's president and treasurer would be much greater. A small country participant in a syndicate distributing securities will not have to make the original investigation of an issue that is required of the originating underwriter. He will have to make some investigation — at least of the reports made by the originating house — such as any purchaser of the security can fairly expect of a partner participating in a syndicate account no matter how small his share. The ordinary dealer who has no share in the profits of syndicate operations, but receives only the usual dealers' commission given by way of discount or otherwise, is not an 'underwriter' by the express terms of the Act. The familiar argument that juries will judge with hindsight has already been considered.

If the defendant cannot bear this burden of proof in respect of his duty of reasonable care and competence, the Act provides that he must take the security off the purchaser's hands at the price the purchaser paid for it, but not at a price exceeding that at which it was originally offered to the public. No arguments are permitted as to how much the condition misrepresented in the registration statement actually damaged the value of the security, or how much the purchaser 'relied' on the misrepresentation. If the purchaser has sold the security before suit, the defendant has to do the next best thing — that is, he must pay the purchaser the difference between the price the purchaser paid for the security (not exceeding the original offering price to the public) and the price he sold it for. The original offering price to the public must be given in the registration statement.

Note particularly two things: —

(1) The only purchasers who can sue are those who did not know of the misrepresentation and the taint in the security when they bought — a factor which largely eliminates all the bugaboo of strike suits of

which the opponents of the Act have been complaining. The plaintiff has to show clean hands.

(2) No purchaser, no matter at what price *he* bought, can recover from the defendant more than

(a) The original offering price of the security to the public as given in the registration statement — if the purchaser still has the security and can return it; or

(b) The difference between the original offering price and the price at which the purchaser sold the security — if the purchaser has sold it.

The original offering price of the security as given in the registration statement is definitely established as the ceiling of liability by an official administrative interpretation of the Act. This ruling completely refutes the lurid argument which has been advanced to the effect that if, after an issue of stock is offered to the public at \$10 a share, it is manipulated to \$1000 a share, and A buys at \$1000 and sells to B at \$500, B to C at \$100, C to D at \$10, and D keeps the stock until it reaches zero, the issuing company, the directors, and all others held under the Act are liable to A for \$500, to B for \$400 more, to C for \$90 more, to D for \$10 more — a total of \$1000, all on a stock originally marketed at \$10. Computing astronomical liabilities on this basis, with the thrill of assuming an indefinite number of ups and downs in the market during a stock's tumble to destruction, has been a favorite sport of the Act's opponents for weeks.

The administrative interpretation limiting damages to the original offering price of the security is indisputably correct. The Act offers damages only as a necessary alternative when rescission is impossible. The registration statement out of which liabilities for misrepresentation grow is filed to permit the original public offering. Clearly, the right of rescission, with its alternative of damages, is based upon the original public offering and the price at which this offering was made. One of the clearest evidences of the fundamental bad faith of Wall Street's propagandists is that when the Federal Trade Commission so interpreted the Act, within its clear intent, as *already* meaning what its critics urged it should be *amended*

to mean, the propagandists charged that the Commission had no power so to interpret and cheat them of an argument to open up the Act for other amendments.

VI

Now that we have defined the civil liability under the American Act, what are the arguments against it? Overstated for the sake of fairness, they are:—

(1) The purchaser of a security is allowed to recover even though he cannot affirmatively prove that he actually relied in buying the security upon the misrepresentation in the registration statement. The English Act requires this proof.

(2) The recovery which the purchaser is permitted is not restricted to damages which he can affirmatively prove were caused to the value of the security by the conditions misrepresented in the registration statement. In substance, the purchaser may require the seller to take back the goods—that is, as the law says, to ‘rescind the transaction.’ The English Act gives the purchaser only damages related to the misrepresentation.

(3) Too many persons are held liable to the purchaser in the formal registration statement—particularly accountants and a large variety of intermediate sellers included under the term ‘underwriter’—and a purchaser can recover from an ‘underwriter’ from whom he did not actually purchase the security. The English Act holds liable only underwriters who actually signed the filed prospectus (which is the English counterpart of the American registration statement). The English Act, like the American, does hold liable the company directors.

Objections one and two can be considered together. The difference between the American and English methods of protecting the investor rests upon a practical recognition of two facts:—

(1) The American and English methods of distributing securities are different in their approach to the investor.

(2) The average American investor will often never see the registration statement and will therefore not be able to prove that he relied upon it in his purchase; neverthe-

less the value of his security will inevitably be determined by the reaction to the registration statement of the investment analysts and the professional investing class who *will* read and rely upon it.

As has been pointed out earlier, the great bulk of securities are purchased in England, not by inexperienced individuals, as in the United States, but by long-established investment trusts, other financial institutions, and wary family solicitors who read and carefully weigh prospectuses. This is in accordance with a business tradition in England which forbids feverish finance and high-pressure salesmanship. England has nothing resembling Wall Street’s fearful and wonderful distributing machinery. Furthermore, practically all English buying takes the form of direct subscription, so that the investor always has a direct common-law right of rescission for misrepresentation against the issuer, and sometimes against the banking house. England is a legal unit—process runs throughout the country; and it is a small country, in which service and suit are easy. England knows no problem like ours of the practical inability of the investor in Nebraska to sue an underwriter in New York. The simpler and swifter methods of the English trial of cases both civil and criminal are also a factor in the English investors’ protection; false and dilatory defenses by clever lawyers have short shrift in British courts; Lord Kylsant could probably not have been convicted in the United States. Under these circumstances, therefore, there may be little harm in England in confining the right to damages, given the prospectus-studying English investor by his Companies Act, to those damages which he can show resulted from a fault in the prospectus, such damages being measured by an amount which he can relate to the fault in the prospectus.

In America, however, securities marketed in the grand manner are offered under high pressure to small, unprotected, individual investors, not directly by the issuer or the originating underwriter, but by the last in a chain of many intermediaries, each seller of which, under advice of his lawyer, carefully represents to *his* buyer merely what *his* seller represented to *him*. Consequently the American investor has no ef-

fective right of rescission for misrepresentation at common law, and has to be given it by the Securities Act if he is to have it at all. Both the American method of buying securities, and the American investor's relation to the many intermediaries through whom his securities are sold to him, clearly require the express safeguard of rescission in a statute to afford the American investor the same practical protection which the Englishman substantially enjoys from the combination of English law and the English method of distributing securities.

Everyone knows that the average American investor — and it is he whom the Securities Act tries particularly to protect — does not *buy* his securities, but has them *sold* to him in a hypnotic atmosphere. But, to lean over backward, consider the methods by which that most rare of American investors — the unsolicited buyer who has \$1000 of savings to put into a bond — approaches the problem. Country Doctor Jones, with his \$1000, consults the investment services to which he subscribes, the president of his local bank, or possibly his friend in a brokerage house; he asks, not for details and prospectuses, but for generalized advice which will simply tell him to buy a bond of X Company. He probably does not see or care to see a prospectus, which he could not pretend to evaluate or understand. He almost certainly would never see a registration statement filed with the Federal Trade Commission in Washington. And it is even possible that none of his advisers would see the registration statement, but would, in their turn, rely upon the generalized judgment of their 'correspondents' in some large securities centre like New York.

Nevertheless, the price at which Doctor Jones, acting on such advice, would purchase his security from a local dealer, and the value it would have in his hands thereafter, would inevitably be fixed by the reactions to the issue on the part of large institutions and individual professional buyers who either purchased or refused to purchase after making their own investigations of the registration statement or after having it investigated by investment analysts in their employ. As a practical matter, — and every securities man knows this, — the judgment of big buyers, not that of the

scattered, uninformed mass of small buyers, determines the price of any security at any time. The value of the security in Doctor Jones's hands depends, therefore, upon the reliance of other people upon the registration statement, together with any misrepresentation or misleading omission it may include. But Doctor Jones could never prove in court that he himself had relied upon the registration statement.

If, therefore, Doctor Jones is to have effective protection against the actual loss which his pocketbook may suffer because of misrepresentations or omissions in the registration statement describing X Company's bond, he must not be required to prove an impossible case — namely, that he relied upon the registration statement which, even if it reached him, he did not read, and which, frankly, he was not expected to read. As a corollary, he should not be put to the proof, again practically impossible under American conditions, of showing a relationship between a particular misrepresentation and a particular amount of damage to the security. A damaged security should be actually worth just as much to a banker or a director who has to take it back as to a mulcted investor. The only fair and practical protection to the investor is to entitle him to give back the security to any one of its sponsors, thus putting upon them, experienced in the securities business, or at least in this security, the burden of salvaging for their own account the difference between its offering price and its damaged value.

The opponents of the Securities Act argue against the necessity of this last step — a general right of rescission — by citing an artfully simplified case. Suppose, they say, a company concealed in its registration statement a contingent tax obligation which would decrease by the amount of \$5.00 a share both the book and the market value of stock offered at \$25 a share. Why not let the purchaser keep the security and collect damages of \$5.00 a share instead of having the whole issue dumped back upon the sellers? The answer is that a case so mathematically simple would not occur once in five thousand times. As a matter of fact, even if it did occur, the careful analyst — he who ultimately determines the mar-

ket value of securities after studying their registration statements — might mark down the stock much more than \$5.00 a share upon discovering the omission, because of its effect on working capital position, or its revelation that management was careless or untrustworthy, or for many other reasons.

Let us suppose a much more usual case. An artificial-gas company falsely represents in the registration statement for its stock that it has no potential natural-gas competition. When the misrepresentation is discovered, the stock falls in value. There is no way on earth to measure the effect of impending competition upon the book value of the stock, or to estimate how much of its decline in market value might have been caused by the disclosure of such competition. Even if the company's stock is listed on a large stock exchange, it may, in falling, fluctuate widely; if it is an unlisted stock, particularly of a small, local company, its market may be hopelessly erratic. Every lawyer knows that in trying to prove damages in court there is no practical problem more difficult than that of establishing the market value of unlisted securities. It becomes even more difficult when the problem is to establish, not market value, but the purely hypothetical degree to which a drop in value may have been caused by a particular misrepresentation in a registration statement. *In such a suit for damages, with the burden of proof on the investor, Wall Street lawyers would win every time.*

Why should the individual investor, who has little enough to spend on lawyers' fees, have to undertake this difficult burden against a seller or other person who, by reason of an admitted misstatement of a material fact, is *prima facie* guilty rather than innocent before liability becomes even potential? Why not let the investor simply dump the sour security back upon its sponsor at the original offering price — and let the sponsor undertake to salvage what value there is left in it?

When critics of the Securities Act are pushed to the wall by this argument for practical justice to the investor, they cry that any financial house risks ruin if it puts out a big issue with the chance that it may have to take it all back. The answer to this is that a business which undertakes big

volume in order to make big profits must expect big losses when big profits go wrong.

If Jones sells Brown a truck horse by representing it as a race horse, and, in an action for rescission permitted Brown under the common law, has to take back the truck horse for which he has no other purchaser, Jones may be as much 'ruined' as a great banking house which has to take back a whole issue of securities from a multitude of small investors. But, even so, the Securities Act gives the banker an edge over Jones. The banker has a last clear chance to avoid liability if he can prove that, although he misrepresented his securities, he did so in good faith after taking reasonable care and exercising reasonable competence to describe them correctly. The Street's objection to this remedy of rescission which is granted by the Securities Act comes down, ultimately, to a bold assertion of special privilege, that the Big Business of selling securities should not be legally so risky per sales unit as the Little Business of selling anything else!

To summarize. The American Act *does* go further than the English Act in imposing civil liability by permitting the American investor either

(1) To recover from those liable, even though the investor cannot prove that in buying the security in suit he relied upon a specific misrepresentation in the registration statement; or

(2) To turn back a security for its full original public-offering price without having to prove the amount of damage arising out of any specific misrepresentation.

But, these differences are judicious adaptations to conditions peculiar to America, and they are absolutely necessary to give the American investor a fair deal. The English statute, if applied verbatim to American conditions, would on these points give the American investor no protection at all.

VII

'But,' says Wall Street, 'this heavy liability of rescission may be tolerable against the issuing company, which presumably receives the proceeds of the issue, and against the many varieties of underwriters who make large profits on the issue, but it

is prohibitively onerous on the directors of the issuing company who presumably profit only indirectly from the entire transaction. The English law holds the directors of an issuing company liable to the investor, but that liability, like all other liability under the English Act, is only for provable damages, not for rescission.⁷

In evaluating this argument, one should remember that

(1) To confine the rights of an American investor to a suit in which he must prove, first, that he relied upon misrepresentation in a registration statement, and, second, that certain specific damage resulted, would give the investor no practical protection at all. Any liability of a director to an American investor must, to be effective, be in the nature of rescission.

(2) No director is liable to an investor under the Securities Act unless there first appears in a formal registration statement filed by him and his fellow directors with the Federal Trade Commission, the purpose of which is to induce the public to invest funds in his enterprise, a serious misstatement or misleading omission.

(3) No director is liable to an investor, even then, despite the existence of a serious misrepresentation or omission, if he can show that, individually, he used reasonable care and competence at the time of filing the registration statement to guard against such errors.

(4) The Securities Act gives each director, along with all others liable, a right of contribution against the issuing company, his fellow directors, the underwriters, and all others liable, to spread his loss on any recovery against him by an investor. In other words, the Act puts no obstacle in the way of prearrangement among all those potentially liable for the sharing of liabilities.

(5) The registration statement, with the material misrepresentation or misleading omission out of which liability may grow, is the statement of these individual directors themselves, filed with their approval and by their order. They, as individuals, are the *real* issuer; theirs is the decision to issue the securities; a majority of them have to sign the registration statement; any one of them who does not sign it and wants to disclaim

it has at least twenty days after the filing to disclaim and resign. Even the underwriters rely for information upon the directors or upon the management which the directors have selected. This liability of the directors, then, is a fair and necessary insurance to the *bankers* who are also liable, as well as to the investors, all of whom put up money relying upon the care and competence of the directors.

The argument is advanced that protection of the investor does not require this liability of directors: let the investor proceed against the issuing company, or against the underwriters, who, presumably, can better afford to take the load. More often than not, however, purchasers suing an issuing corporation for rescission may find that the proceeds of their purchases are no longer with the company, but have been frozen, dissipated, or otherwise lost in the business, and hence cannot be paid back. As for underwriters, it is probably true that most small issues are floated directly by the issuer to the purchaser, without the interposition of intermediary underwriters who could be looked to as responsible defendants if suit against the issuer was not fruitful; and intermediary underwriters may be able to prove that, in acting upon statements of the directors, they exercised due care and competence, and are not themselves liable to the purchaser. As a matter of practical justice it is not possible, therefore, to duck the issue of directors' liability by saying that there are plenty of other people better able to pay the investor.

The real question here is whether individuals, while acting as directors of corporations, are to be responsible to those whom they injure. Woodrow Wilson¹ put the problem in classic phrase nearly twenty years ago when the New Deal was the New Freedom: —

The present task of the law is nothing less than to rehabilitate the individual . . . to undo enough of what we have done in the development of our law of corporations to give the law direct access again to the individual — to every individual in all his functions.

Corporations do not do wrong. Individuals do

¹Annual Address American Bar Association, Chattanooga, Tennessee, 1910. Reports pp. 426-434, 439. — AUTHOR

wrong, the individuals who direct and use them for selfish and illegitimate purposes, to the injury of society and the serious curtailment of private rights. Guilt, as has been very truly said, is always personal. You cannot punish corporations. Fines fall upon the wrong persons; more heavily upon the innocent than upon the guilty; as much upon those who knew nothing whatever of the transactions for which the fine is imposed as upon those who originated and carried them through — upon the stockholders and the customers rather than upon the men who direct the policy of the business. . . . Law can never accomplish its objects in that way. It can never bring peace or command respect by such futilities. . . .

Society cannot afford to have individuals wield the power of thousands without personal responsibility. It cannot afford to let its strongest men be the only men who are inaccessible to the law. Modern democratic society, in particular, cannot afford to constitute its economic undertakings upon the monarchical or aristocratic principle and adopt the fiction that the kings and great men thus set up can do no wrong which will make them personally amenable to the law which restrains smaller men; that their kingdoms, not themselves, must suffer for their blindness, their follies, and their transgressions of right.

The critics of the Securities Act finally advance a 'practical' argument. No one, they say, will be willing to act as a director of a corporation which needs funds if he has to assume the risks of being careful and competent, or having to share with other careless or incompetent sponsors of the corporation's appeal to the public the burden of making investors whole. American business will be directed completely by dummies. It is noteworthy that the Street's propagandists, when pushed to the wall, ultimately rely on this kind of 'practical' argument, which amounts to saying that: —

1. No matter how just or socially expedient the Act may be, bankers and corporation directors just will not take its 'risks.'

2. American financing cannot be done except upon their terms.

It should be frankly recognized that this raises the simple issue of whether it is possible for Congress to regulate the securities business at all. Can the law be made to serve the interests of a democratic community, or must it be written to conform to the wishes of the financially powerful? In

short, must the law bow to a capital strike?

As a matter of fact, the threat of dummy directors is a bugaboo. The Act took good care, in Section 15, that this should not happen, by providing that the real parties in interest could not avoid liabilities through dummies under their control. Nor will undesirable resignations occur on any important scale. The unreasoning fear reported to be current among directors has been deliberately drummed up by Wall Street's loose talk of fantastic liabilities. But it will cool down. The average business-man director will learn that under the Act, as under all law, he can rely for his protection upon his own common-sense judgment; that the Act's standard of due care and competence, before juries of common-sense men like himself, will require him to pay only that decent attention to the corporation's business which stockholders and other investors expect of those who are supposed to be running it in return for benefits received.

In a practical world, no one thinks or expects that directors serve corporations solely for the nominal fees they get. A director serves to protect his large stockholding interests, or for an occasional salary, or connections, or influence, or for other business reasons. All this will not be abandoned overnight. Directors who have a real interest in a corporation through stockholding or otherwise, and a sufficient knowledge of its operations not to be afraid to try to tell the truth about it, will not desert either the corporation or their emoluments. Big stockholders will either hang on to their directorships or get competent representatives to attend to their interests, paying them in proportion to risk and service. The Act will undoubtedly cause considerable shifting in the interlocking and highly 'dressed' picture hitherto presented by the *Directory of Directors*. The lawyers who should be merely professional advisers, the big names who decorate corporation reports, the 'kept' directors who represent short or inquisitive interests, will resign. Only they will mind!

The same reasons which require that directors assume responsibility for their statements require that accountants, engineers, and other experts be liable for want

of due care and competence in representations in the registration statement which can be specifically attributed to them. The banker and the investor risk their money in enterprises and the director acts because of the expert service which these specialists sell and for which they are well paid. It is particularly important, therefore, that every factor be utilized to compel these experts in enlightened self-interest to take the greatest care. It is also important that public opinion should not permit accountants to charge outrageous additional fees to recertify for a registration statement to be filed under the Act their own audits of former years for which they have been adequately paid, and on which the company, the bankers, and earlier investors have already relied.

VIII

The Street puts this case. Suppose a securities distributor in St. Louis takes what is called a 'selling-group participation' of \$50,000 in a \$50,000,000 issue originated by a great New York house. Theoretically, the Securities Act makes it possible for all investors — even those who have bought the securities from other distributors in Boston, Seattle, and New Orleans — to come out to St. Louis and put the St. Louis house upon proof of its due care and competence if it is to avoid having to pay the 'outside' investors for their losses. That, say the critics, is inequitable to the St. Louis house.

At this point it is necessary to explain certain phenomena peculiar to the American method of distributing securities. Before the war, most American issues sold through an underwriter were bought from the issuing company by a single originating underwriter, and sold by that underwriter's salesmen directly to dealers at a standardized commission given by way of discount. The dealers, in turn, sold to retail customers. It was a slow, careful business: a good originating house 'brought out' comparatively few issues a year, and had time to make sure of their quality.

After the war, a certain well-known house in the Street invented the high-pressure device of the so-called 'selling group.' The house which 'found the business' entered

into a kind of partnership arrangement with a selling group of possibly scores of dealers all over the United States. By this arrangement, each member dealer became in effect a partner in stated proportions with the originating house and with other members in sharing both the risks of selling the issue and the profits of an open-market pool manipulation in the security, which, for additional compensation, the originating house would operate as 'manager' of the group for a stated period of sixty days or more.

From the retail dealer's point of view, pool profits were far more lucrative in good times than fixed dealers' commissions. From the point of view of the originating house, selling-group partnerships with such outside dealers as were willing to take the gamble greatly increased the speed with which it could unload from itself the greater part of the risks of selling an issue. This very speed made it necessary to originate more and more hastily prepared securities in order to keep the complicated selling-group machines supplied with something to sell; and the absorption of investment funds by these high-pressure sales machines forced conservative houses, which would have preferred to do business on the slower basis of quality, to adopt similar tactics in self-preservation. Finally, these competitive tactics brought half of the investment world to smash.

The Securities Act draws a careful line between those retailers who sell on a fixed commission and the selling-group participants who want to go into pool partnerships with the originating underwriter. The term 'underwriter,' by the express wording of the Act, 'shall not include a person whose interest is limited to a commission from an underwriter or dealer not in excess of the usual and customary distributors' or sellers' commission.' Such a retailer, like his salesmen, is liable only to an *immediate* purchaser to whom he sells under false representation or without revealing what he *then knows* is a defect in the registration statement.

But *all* selling-group partners, sharing profits with the originating 'underwriter,' are themselves 'underwriters' within the Act, and each is theoretically liable, like

partners in any other business, to suits by every purchaser who may buy securities marketed by the partnership on the basis of a false registration statement — unless, of course, any particular participant can show his own care and competence in the matter. The investor, whose protection is the *first* interest of the Act, may recover against whichever of such participants is most accessible to suit; he does not have to chase an elusive defendant all over the country. Of course, as a practical matter, an investor who finds, on suing, that his local member of the selling group is judgment-proof, will naturally move, not against the minor members of the selling group in other localities, but against the responsible originating house in New York or Chicago. But the St. Louis house can protect itself against even theoretical risks on any particular issue by conducting its business in one of two ways: —

1. It can be satisfied with a straight dealer's discount on its sales, without taking a flyer in pool profits with the originating house.

2. It can insist that it will not participate in a selling group, when it does not feel sufficiently sure of the registration statement and the quality of the issue, unless the selling-group agreement includes an arrangement by which the originating house and others of the inner circle satisfactorily indemnify the St. Louis house and other smaller participants against liability for misrepresentations in the registration statement.

The Act, although it forbids any arrangement whereby an *investor* waives his rights under it, in no way interferes with any arrangement for indemnity between sellers. The eternal ingenuity of the Street, which has never experienced difficulty in finding a way to divide profits, can safely be relied upon to work out the equally practical problem of dividing losses. Small dealers may feel, perhaps, that big houses will not give them issues to sell on straight commission or with provision for indemnity; but if they stick together, the big houses will have to come around. The principle of 'non-interference with honest business' does not require that adequate protection of investors be sacrificed in order to preserve a

technique of high-pressure syndicate salesmanship which, entirely apart from any Securities Act, has already wrecked many investment houses and well-nigh ruined the investment business.

Any scheme which confined the liability of a selling-group member to those to whom he sold directly or derivatively would raise, for an investor holding a bearer share of stock or bond, the impossible problems involved in proving his chain of title. The Act has to try to protect more than the first purchaser of a security. That first purchaser may be only a speculator for the rise or a straw intermediary intended to insulate liability. The ultimate investor whom the Act wants to protect may buy at the end of a whole chain of other buyers and sellers — that is, on a stock exchange through which the security is really being distributed, from an anonymous seller who passes on a piece of paper already passed through many hands, endorsed in blank or 'in a street name.' How could such an investor prove from what original distributor he derives title? If the Act provided that responsibility should not exceed participations in the selling group, it would be perfectly possible to divide the paper participations in such a way as to throw responsibility under the Act most heavily upon irresponsible houses, while a secret division of the real profits could be effected without the knowledge of the law. The proposal that only those underwriters who signed the registration statement should be liable would make it possible for any number of strong houses really to sponsor an issue through selling groups' support with the names of unimportant houses signed to the registration statement. These points are suggested simply to indicate some of the practical problems touching the protection of the investor which have to be faced the moment an attempt is made to adjust the theoretical equity between underwriters.

IX

It is possible now, after all that has been said, to state the fundamental scheme and philosophy of the Securities Act. It proceeds on the realistic assumption that the ignorant and overreached investor is going

to continue to be with us; that he has not 'learned his lesson,' and probably will not be permitted to do so. Utopian theories of teaching the small investor overnight that he should not sink his money in securities until after he has made the kind of investigation which he is not qualified to make — and which, in any event, he lacks the power to make — are not a practical answer. 'It is a *condition* which confronts us — not a theory.'

The Act is practical. It looks upon an investment transaction in this way. On one side is a small investor who pays his money. On the other is a self-constituted, inter-related group who receive the money — the issuing corporation, its directors, its bankers, and the experts they employ on the issue. By agreement among themselves, that group divides the money and its direct or indirect benefits. The portions and the interrelations constantly vary. The receiving group alone knows the 'inside story.' The investor knows nothing, and usually can learn nothing. If, when securities turn out damaged in his hands, he is forced to prove reliance upon the registration statement, and to prove specific damage as well; if he is compelled to thread the maze of interrelations to find the particular person in the receiving group who is to blame and from whom he traces his title — his task is practically hopeless.

The Act, therefore, makes *all* members of this receiving group who cannot prove their individual competence and care, with relation to the security, jointly and severally liable to any investor to take back a damaged security at not more than its original offering price. All are held because the omission of any will create loopholes and arguments that practically may release *all*. The Act then does practical justice to the defendant who is sued by giving him an express right of contribution over against any and all of his fellow members of the receiving group who are likewise liable. It assumes that the 'smarter' receiving group, who long ago learned how to agree among

themselves when it came to dividing up the profits of an issue, can, by voluntary agreement, either at the time of offering the security to the public or later, achieve the task which no law can attempt — that is, of arranging among themselves an equitable risk of the losses incident to their intricate transactions.

The defenders and the critics of the Act find it impossible to reach agreement because of a fundamental difference in their points of view. The Act looks at the investment transaction from the point of view of 'the investor first'; it lays down those provisions which are necessary, as a practical matter, to protect him, and puts the burden upon the group who get his money to take care of their own interrelations within the bounds of those necessities. The critics see primarily how inconvenient such protection of the investor is going to be to themselves, and how upsetting to the well-worn ways of their selling business. Quite honestly, they cannot conceive why it is not more desirable to sacrifice the protection of the investor than to change their methods of doing business.

But no American Administration need apologize to the Street for attempting to regulate a business as socially expensive as our securities business has proved to be. Nor need it be squeamishly embarrassed if, in its regulation of such a business, it has perhaps not confined itself to the absolutely necessary minimum. The forthcoming test on the inviolability of the Securities Act offers a real opportunity to draw a line on issues much more fundamental than any that may be involved in squabbles over statutory language. We have come to the point where we shall have to take sides! And those who have more than a few years to live, or have given hostages to fortune in children to live after them, — those who do not relish a 'recovery' which shall simply be a seat on a new powder barrel with the fuse already sputtering, — ought to know on which side they stand.

THE CONTRIBUTORS' CLUB

THE DEACON DEALS WITH LAWYERS

I HAD a chat not long ago with my old friend Deacon Stebbins on the front porch of his Vermont farmhouse. He whittled as he talked, and spat occasionally as he whittled. His views are always interesting to me, because they are formed amid surroundings remote from the world's turmoil. He cogitates upon politics while raking hay, and philosophizes upon morals as he feeds the stock; then ruminates his conclusions in an old rocking-chair upon the front stoop of an evening.

He had been reading an editorial in the Rutland paper about a growing disregard for law. 'Folks talk so much about the breakdown of the law these days,' he remarked, replacing a mutilated plug of chewing tobacco in his trouser pocket. 'It's funny they don't say more about the break-up of lawyers. I can't help thinkin' that fer every malefactor of great wealth who gits around the law there's at least one lawyer who showed him how to do it. And fer every recognized crook who escapes penalty there's some firm of lawyers that makes a specialty of teachin' sech as him how to escape.

'They say it's the fault of the income-tax law that a rich feller can evade a lot of his tax, while the poor folks hand over to the government all they owe. Wal, it's a funny thing, or mebbe it ain't so funny, that it was lawyers who drew up that income-tax law, and later on some of those same lawyers can pint out to their clients jest how to find the holes in it.

'How can you expect us ordinary citizens to keep on respecting the law when expert lawyers in the legislater can go back into practice and teach their clients how to git around the laws they helped make?'

For some time he rocked quietly, thereby regaining his wonted calm.

'Some folks call the law a noble perfession, and some call lawyers the jackals of

trade. I guess there's both kinds. But there's enough of the worst kind in the bar associations to keep the better ones from throwing 'em out. I hear it ain't perfessional fer one lawyer to criticize another. But I tell you, folks in general ain't going to respect the law until they see that the lawyers, who know the most about it, respect it themselves. And I guess lawyers can't respect it much as long as they think the perfession of the law is more important than the law itself.

'But what gives most of us farmers a contempt fer law is the time it takes to git anything settled if you go to court over it. I had to laugh when I read in the paper that a committee of the bar association was studying the law's delays. Any of us folks up here could tell that committee there would n't be any law's delays if there was n't any lawyers.

'There's a successful lawyer comes up here from the city to fish in my brook, and him and I talk some, evenings. "How can you leave them important cases?" I ask him. "Oh," he says, "I ask fer a postponement becuz my witnesses ain't ready; the other side knows I want to go fishin', but they agree becuz they know they might want to go fishin' some day themselves; and the judge he agrees becuz he used to be a lawyer, and he thinks to himself, 'What's a little delayin' between friends?'"

'Lawyers make me think of crows. Crows flock together and talk a language I can't understand, and they're darn glad I can't understand it. Some folks say crows are the farmer's friend, and git rid of my pests for me. Some say they eat seed corn. I guess mebbe there's both kinds of crows, or else it depends on how they happen to be feeling that day. But I know darn well, whatever they do, they all stick together, and I feel easier about my cornfield when they ain't any of 'em around.'

'From the way you talk, Deacon,' I ventured mildly, 'I don't suppose you've

ever had much traffic with lawyers yourself?"

'Once,' said the Deacon, expectorating neatly on a black ant which unwisely started across the porch at that moment. 'One time I hired one to bring suit fer the ownership of a passel of land, and I promised to give him half the land fer a fee if he won it fer me.'

'Turned out all right?'

'Yep. He got his half of the land, but I knew all the time it was n't wuth anything without my half, so later on I sold mine to him fer a pretty fair price.'

A FOOTNOTE TO 'DAISY MILLER'

AT about the age of ten I first read *Daisy Miller*. It was, I suppose, the first grown-up story I absorbed, and I was, and have always remained, much taken with it. In it Henry James seems to have discovered the American girl, in all her directness, independence, sincerity, and charm. Daisy Miller is so real, so much a creature of flesh and blood and no mere author's puppet, that the critics differ about her just as though she were an actual person of the Victorian era.

The most amazing thing about Daisy is her end. It is so abrupt, so uncalled-for, so out of key. From the lightest of banter one passes suddenly into grim tragedy. Amusement becomes pity. We leave her with very real regret, under the spring flowers in the Protestant Cemetery in Rome.

And now appears the journal of an American girl, Julia Newberry, who from her sixteenth to her twenty-second year spent most of her time in Europe and about the Mediterranean, traveling with her mother, visiting the places Daisy visited, — Vevey, Rome, — rich, gifted, courted, independent, full of gayety and clever talk; and then suddenly, at twenty-two, she dies, in Rome, and is buried in the English Cemetery, on a day in April, 1876.

This coincidence at once suggests the query: Where was Henry James in the spring of '76? Not in Rome, but thither he came toward the end of '77, and on that visit, he admits, the idea came to him. It seems extremely probable that the little

tragedy of the young American heiress who had died there only the year before should come to his ears and move him. 'He was insatiable,' his biographers inform us, 'for anything that others could give him from their own personal lives.' The figure of this girl, with everything to live for, dying so prematurely, so far from home, would move a much less gifted spirit than his, and his 'young girls,' we are told, 'are always his happiest creations, as if they alone of all his compatriots filled him with frank satisfaction.'

American publishers looked with disfavor upon *Daisy Miller*, but it appeared in the *Cornhill Magazine* in June and July, 1878, after which it was much printed in this country, giving the young author, then thirty-four, his first taste of popular favor.

I do not suggest that Daisy Miller is in any strict sense a portrait of Julia Newberry. Julia Newberry was no stranger to Europe. She had lived there most of the last seven years of her life, and she had seen it very advantageously, for her social position was a good one. At a military ball in Nice, just after her seventeenth birthday, General Sheridan asked her if she would wear his colors, and, when she assented, handed her the badge of the Army of the Shenandoah.

Nor have we any reason to believe her a flirt. She says, in fact, to her diary, 'I hope I am not a flirt, and yet sometimes I believe I am.' But Julia was not unwilling to astonish her admirers with her sophisticated conversation; especially when they at first mistook her for a schoolgirl. And what a converser Daisy Miller was, entertaining Winterbourne on the way to Chillon by 'delivering herself of a great number of original reflections' — which is exactly what Julia would have done. And Winterbourne, the young American educated in Geneva and living abroad, is clearly just Henry James himself, thinly disguised.

Both girls were rich and attractive Americans, very much given to society, and much sought after, by one sort or another; both died in early womanhood, in Rome, in the spring of the year. And if the idea of Daisy Miller came to Henry James at Rome, in 1877, and Julia Newberry died there on April 4, 1876, the case is about as

clear as circumstantial evidence can make it.

In short, I offer the audacious thesis that Henry James heard the story of Julia Newberry in Rome in the autumn of 1877; that it took strong hold of him, and suggested to him his Daisy Miller, whom he clothed with an unsophistication to which Julia Newberry would have been a stranger; and that this is the explanation of the strange and sad end of the story. That end *was* the story. The lonely grave in the Protestant Cemetery he could not leave out, for with it the idea had come to him.

I am well aware that in later years Mr. James vehemently denied that any individual lay behind the figure of Daisy Miller, asserting that she was a figment of his own imagination. This may be quite true; or he may have been driven to this position by various complaints or claims. That does not affect the point of my suggestion: that a very recent tragedy in the American colony at Rome was the germ of *Daisy Miller*.

EDGAR J. GOODSPEED

GREGORY SAMPLES SCHOOL

FOR weeks we had heard fearful tales about School. Veteran mothers sighed and said that children never came back the same. Aging maiden ladies hinted darkly but vaguely about the evil influences of the playground. The parson added to his prayers a section in behalf of Our Little Ones who were about to start school. Even the barber, between snips, clucked his tongue enigmatically.

All this saddened us. We had been looking forward to school as a sort of parental holiday. No more wheels underfoot at all hours in the dark hallways. No more jigsaw pieces, lost weeks ago, suddenly cropping out from under rugs. No more eternal queries as to why the ocean water is blue but the waves are white. What a lark school must be for parents!

Between our hopes and the gloom of our friends we vacillated in doubt. Could we rely on the teacher or should we furnish preliminary advice about conduct in the schoolroom? Should one caution about the evil of pulling little girls' hair, or would that merely stir impulses otherwise latent?

Time put an end to these doubts, and the sun rose on the first day of school. Even then there was a last problem. Was it manly for a boy to be escorted to school by his mother? Would it brand him forever as a sissy? On the other hand, was it a task beneath a father's dignity? Luckily, two neighbors' children appeared, unbelievably early, to act as pilots.

The three boys left sedately, Gregory in the middle, held by each hand. They reached the corner with arms swinging free. They moved on prancing, and disappeared in the distance chasing each other wildly.

Then the clock struck eight-thirty. Half an hour more to spend on the playground, picking up oaths, no doubt.

At length nine struck. Now the teacher would be in charge, calling rolls, running through alphabets (no, the alphabet is *passé*), perhaps writing down numbers on the blackboard (unless numbers, too, have been abolished). Perhaps the globe would be explained — our own memories of the first day were vague. It would be too much to hope that the question of the blueness of oceans and the whiteness of waves would be posed and answered.

Nine-thirty. A good sum of information should be absorbed by this time. . . . Ten strokes of the clock. Probably there had been time for a few historical facts — with the emphasis, of course, on the social and economic life rather than on political and military manoeuvres.

Ten-thirty. Recess time, as we remembered the procedure. But no. Steps on the front porch; Gregory at the door, alive and well, and not visibly aged or *blasé*. School was over for the morning, over for the day — even before we'd had time to read the morning paper in peace!

Well, we could at least devote the rest of the morning to a diagnosis of the first day's learning. 'What did you do in school?' we asked casually from behind the newspaper.

'Oh, nothing.'

'Did the teacher call the roll?'

'Call the roll — what's that?'

'Never mind. Did she call your name?'

'Yes, she called all the names.' Well, at least he had landed in the right room.

'Then what did you do?'

'A little girl cried, and some boys talked, and the teacher told them to be quiet so she could talk.'

'What did she say?'

'She explained the room to us and her desk and the things on it and our desks. And there's a separate room to put your coats.'

'The cloak room,' we said, recalling the scenes of ancient rendezvous.

'No, the coat room.'

'The cloak room,' we said firmly.

'The coat room.'

We gave it up; perhaps names had changed in thirty years. 'And what else did the teacher tell you?'

'She told us a story.'

'A story about what?'

'Fairies.'

'What about fairies?'

'Oh, I don't know. Just fairies. And then she gave us a book to read.'

'What was its name?'

'I don't know.'

'Did you read it?'

'No, you know I can't read.'

'Did she say what was in it?'

'No, she said we'd read it.'

So we gave it up, retiring completely behind our newspaper. It would be useless to bring up the question of the ocean's blueness; the ocean would n't have been one of the things on the teacher's desk.

We counted up the score. No visible growth in knowledge, manners, morals. On the other hand, no obvious assimilation of filth and profanity. Score at the end of the first inning: nothing-nothing.

'Next week we're going to have school in the afternoon too.'

Well, that would be something. We could perhaps sneak in a short round of golf. School may not be so bad after all.

THE DOLL-BABIES' DRESSES

WHY do people overeat so on life, grabbing and stretching after Gargantuan gobbles, when there within the reach of all are such small delicious mouthfuls? Take, for instance, the doll-babies' dresses.

I am writing from the Southern mountains, where dolls are never just dolls, but always doll-babies. Out in the wide and

hasty world, words, like puppy dogs, get their tails bitten off; churches are just churches, whereas in many of our mountains they are still church-houses.

Well, then, two little girls, Doris and Margaret, brought in their doll-babies for our inspection, and one was 'Gladys' and one was 'Betty.' After being duly impressed by their size and beauty, we asked if the children would like some new dresses for them — with ribbons, we hinted. The little girls' eyes flashed up to their mother's face to see if this was all right, and it was! So they breathed shy 'Yes, mams,' and slipped softly away. Out in their own domain, however, Doris whispered into her child's china ear that she was to 'have a brand-new dress all fixed up with pretty little ribbons'; then, suddenly aware that this tender maternal confidence was being overheard by grown-ups, she fell into an agony of confusion.

We made a special trip to the county town. Oh, of course we invented some large, important excuse to take us, but very well we knew we went for nothing but the doll-babies' dresses. There we found pink dotted Swiss, yellow dotted Swiss, ribbons for sawdust waists, white lawn for the intimate garments — and at last, to-day, the dresses were finished. There in our sitting room the doll-babies sat side by side in a stiff Windsor chair awaiting the supreme moment of their mothers' return from school. Gladys was in pink, Betty in yellow; a pink hat on one head, a yellow hat on the other; white sashes for both waists. Very crisp and proud and perfect they were, and very conscious of it, and many a lady of the olden time has been a belle on no more. Fortunate doll-babies! All dressed up and somewhere to go — straight into their own mothers' arms.

Through the whole bright afternoon there twinkled an air of festivity and mirth. With Gladys and Betty sitting there so crisp, so proud, so prim, so perfect, and so aware of it, the hours danced past with a secret joke all their own. We grown-ups laughed together more easily, and over less, and had I an enemy I could not have hated him to-day. I should only have had to look at the perfect doll-babies, their hats a trifle over one ear, to laugh. And who can really

laugh and hate? The children's grandmother came to call. 'Look at your great-grandchildren,' I said, introducing them. She flung out her hand in a wide salute, and swept them an elaborate bow. But Gladys and Betty did not so much as bat an eyelid — they were afraid their bonnets would fall off! That was the one and only thing on earth that really worried them.

At last the great moment arrived — the mothers were home from school. They came in, and the doll-babies burst upon their sight, in their Windsor chair, in their dotted Swiss, their bonnets, their sashes — the mothers saw their children, and in one glance were stricken dumb. What was to us so small and gay a mouthful of life was to them so large a bite, so wonderful, so choked with rapture, that they could find no words with which to swallow it down. But what are words compared to small faces dumb with delight; little bobbed heads, a light one, a dark one, turning from side to side on slender neck stems in utter ecstasy?

For a long moment they could only stand and stare, but at last they dared to touch, to slide half-frightened fingers down crisp dresses and ribbon bows, to peep beneath at lace and lawn — finally to pick them up, to have them in their very own arms. The doll-babies rode away on their mothers' shoulders, looking back at us still deeply conscious of their own perfection, and still a trifle worried over their bonnets. So they vanished from our life, and something vanished with them. A door closed. The room fell back into a prosaic grown-up sitting room, but for one bright hour our guests had lifted it up, spangled it with laughter and a secret joy.

Out in the wide hurly-burly of the world, kingdoms rise and fall; humans snatch and grab and gobble, both feet in the trough of life; but for us to-day has been nothing but the day of the doll-babies' dresses. A small, wholly unimportant mouthful — but was it? Gladys and Betty and their bonnets will remain a little point of mirth in my mind like a plum in a pudding; and the memory of the children's little uplifted faces will linger forever as something even more precious. For, through the whimsical portals of dotted Swiss, did we not enter again for an instant the land of childhood?

And, for that, who would not gladly pay as gate money a wisp of lawn, a shimmer of ribbon?

SELF-ANALYSIS

SOMEWHERE, either in conversation with a loose-tongued friend or from my wide and carelessly indiscriminate reading, I picked up the idea that it might be a good thing for my tennis game if I should have some moving pictures taken of myself in action on the courts. The theory, which appealed to me strongly, — as so many theories do, — was that, by seeing myself as others saw me, I should be able to discern my faults, thus laying the essential groundwork for their complete correction. The idea came to me at a singularly propitious time, too, for I had just suffered disastrous defeat in straight sets at the hands of a doddering old relic who could do nothing but dump the ball back over the net, but who did that sufficiently well to permit me to defeat myself by my own errors. Naturally, my faults were pretty definitely on my mind, and I was ripe to try anything which might help to correct them.

That is how it came about that, a few days later, I appeared on the courts completely equipped with camera and camera-woman (my wife), in addition to the customary implements of the game. After the anticipated humorous remarks from the other players had died down — though they never really did that; I just got used to them — we undertook the business at hand in forthright fashion. My serve had been erratic, so we used up a good deal of film footage on that. With the coöperation of a friend, we also got some extended views of the other departments of my game which needed improvement — my drive, my chop, my backhand, my lob, my high and low volleys, and so on. Shots were taken from various angles, though not without demur from my wife, who seemed to tire quickly. Finally, we made a permanent record of the greater part of a brisk set, for a side bet sufficiently large to make me bestir myself. Then we called it a day, after devoting a few moments to answering — with interest, where possible — the wise-cracks which had

been directed at me by my fellow players during the photographic proceedings. I had ignored them previously — or tried to.

We — or at least I — felt, though, that the time had been well spent, and I looked forward with no small eagerness to the day when we should have the film ready for projection. Possibly I cherished a secret notion that the pictures would reveal me as a rather dashing figure on the courts. Certainly I was open in my eagerness to see my game from the vantage point of a spectator and to learn wherein it might be improved, and how. Not 'And How!' — that came later.

In any event, I was all atwitter the day the finished reels were delivered and could scarcely wait to get them into the projection machine. It was to be a private showing, that first one — a bit of foresight of which I am still proud. The screen in place, the lights extinguished, my wife and I alone, the picture which was to do so much to improve my tennis game began.

It was the most unnerving, the most disheartening experience I have ever suffered. I watched myself, appalled. It was n't a question of picking out the things that I did wrong; the difficulty lay in finding anything that I did right.

'Am I really that bad? Is that the way I look?' I demanded of my wife, hoarsely, with sinking heart.

'The camera does n't lie,' she replied, with what might have been an attempt to break the news gently but was n't.

My service, of which I had been not too secretly proud! I had thought its great speed was what made it occasionally effective. The camera showed that I had been wrong. There was no speed in that lazy lob on which I nearly broke my back. If it confounded my opponents, it did so only because they could not keep their minds on the game while watching, fascinated, the contortions through which I went in the process of making the stroke. I have never seen a clumsier-looking effort than my own in serving.

The awkwardness of my service was revealed to be no greater, though, than that with which I executed my other strokes. Instead of making my forehand drive from a position of firm balance on both feet, I

found that I habitually swung my racket while teetering on my left foot alone, with my right foot extended to keep me from falling over on my left ear. In chopping, I found that I always assumed a half-squatting position, which was at once ludicrous and insecure. I learned that my backhand shots were made with all the wild lunging of an elephant engaged in the brisker movements of the Charleston, and with about as much sense of stability and timing. My volleys were shown to be notable only for the fact that, in volleying, I habitually close my eyes. My lobs — but no. Let the way my lobs looked be my own shameful secret.

When the last horrible foot of reel had unwound, I sat back in stricken silence. There was plenty of noise in the room, however. It was my wife laughing. She assured me that I was much funnier in the picture than she had even expected from watching me in person on the courts. She went so far as to say that it was the funniest picture she had seen since the 'Three Little Pigs' classic of Walt Disney. Of course, that was merely the woman's point of view, but candor compelled me to confess to myself that she was probably more accurate than inaccurate.

Under the circumstances, I cannot see my way clear to endorse the idea of self-analysis by the motion-picture process. My own experience may well mean my final retirement from the game. I love tennis, but how can I ever bring myself to go through again, in public, the antics of which, as the camera proved, my tennis game consists? Whenever I tried a stroke, I should think of that picture and bow my head in mortification. And that is not the way to win at tennis.

For the moment, I am saved from the prying curiosity of my friends — who would want to know why I quit tennis — by the timely end of the season. Whether I shall feel better next spring — they say that time heals all wounds — and shall be able to take my racket in my hand without blushing remains to be seen. But at least I have a new purpose in life to take the place of the old. I shall not rest until I get some pictures at the courts of the fellows I can beat. Think how funny *they* will look!

THE CONTRIBUTORS' COLUMN

William H. Townsend ('Lincoln and Liquor') is a lawyer of Lexington, Kentucky; his article represents the first search ever made into the *original sources* which reveal Honest Abe's attitude toward drink. The repeal of prohibition gives his findings timely as well as historical importance. Years ago Mr. Townsend became interested in Lincoln both as a collector and as a scholar, and so persistent has been his zeal that he now owns one of the largest collections of Lincolniana in the country, including among his prizes Lincoln's first law book. From his studies several volumes have issued, the most recent being *Lincoln and His Wife's Home Town*. Δ So trenchant has been the political thought of **Harold J. Laski** ('The Roosevelt Experiment') that it may be said to have polarized students of government into two broad groupings — those who sympathize with its philosophy and those who do not. Mr. Laski's university connections have been numerous, including Oxford, McGill, Harvard, Yale, Amherst, the London School of Economics, Cambridge; he is now Professor of Political Science at the University of London. Author of more than a dozen important books, he is a member of the Fabian Society, and is active in the inner councils of the British Labor Party. Δ To the Yale University faculty **Chauncey Brewster Tinker** is Sterling Professor of English; in the affections of the students he is 'Tink.' One would have to be 'up betimes' and 'to bed late' to find another essay as mellow and delightful as 'The Great Diarist.' **Johnson O'Connor** ('Vocabulary and Success') is Director of the Human Engineering Laboratories at Stevens Institute of Technology, Hoboken, and also Assistant Professor of Industrial Research at Massachusetts Institute of Technology, Cambridge. Δ Novelist and country gentleman, **Philip Curtiss** ('The Twilight of the Business Woman') will be pleasantly remembered for his 'Sunday' in the May issue of last year, a paper which brought in appreciative letters by the score. Δ The son of a Lutheran clergyman, **Paul Hoffman** graduated at Harvard in 1932

and launched himself into a literary career. 'Late Love' is his first short story, but he has already published an autobiographical volume, *Seven Yesterdays*. Concerning it, who was it that wrote this letter to him? 'I am pleased with *Seven Yesterdays* very pleased, I am pleased with you and I am pleased with me in you, I like your writing and what is important is that there is construction instead of intention and so you ought to be able to go on which I do very much hope for you. I do desperately like anybody to go on. But you will. There is construction not only in general but also in detail and that is very important. So you see that I am pleased and I like telling you so.'

E. F. Benson, the accomplished British author of *As We Were* and *As We Are*, completes his panorama of social change with 'As We Have Become.' Δ For many happy years **Florence Converse** was a member of the *Atlantic* staff. 'Marx and Lenin Made a Plan' and 'Bread Line,' which we printed in January 1932, are parts of a long poem, *Efficiency Expert*, which will be brought out as a book by the John Day Company in the early spring. Δ Among anthropologists it is all in the day's work to seek out far corners of the earth where human society can be studied 'in the raw,' but when a woman anthropologist spends a year all alone among the savages of a tropical island, that is news as well as science. **Hortense Powdermaker** is connected with the Yale Institute of Human Relations; 'At Home on the Equator' is made up of selections from the letters she wrote to her family and friends. The scientific results of her expedition were recently issued by W. W. Norton in book form under the title, *Life in Lesu*. **Carol Bache** is an American woman who has long resided in Japan. In 'The Genteel Burglar' she relates the true story of the would-be thief who is now her gardener. **Henry S. Drinker, Jr.** ('A Neglected Language') is a Philadelphia lawyer who makes music his hobby. Each of his four children, aged from twelve to nineteen, has

learned to read vocal music, to sing, and to play a variety of instruments. 'I have taught them all piano myself,' Mr. Drinker writes, 'usually before breakfast.' His principal delight, however, is the amateur chorus which he conducts. 'Beginning with about twenty people, we now have more than two hundred who sing with us. We meet seven or eight times during the winter, and between our big parties we always have several smaller ones at which we read new works so as to choose the most interesting for the big chorus.' The mellowing influence of all this is perhaps reflected in Mr. Drinker's two publications: twenty-five years ago he wrote a three-volume treatise on the Interstate Commerce Act; last year its 'sequel' appeared — a small book on *The Chamber Music of Johannes Brahms*. Δ A kindred spirit is **Louisa Butler** ('If the Lilies Are Down') — her love of poetry is combined, she says, with 'a special passion for singing in choruses.' Δ The **Flying Drakes**, **Francis and Katharine**, have recently completed their most ambitious 'hop' — a tour of South America by plane. 'Airway Down the Andes' sums up one segment of their impressions. Δ Poet and novelist, **William Rose Benét** ('Seesaw') is Contributing Editor of the *Saturday Review of Literature*. **Charles D. Stewart** is a man of many talents, not one of which is buried. For example, nothing delights him more than to try to penetrate by exact observation such everyday mysteries as how spiders spin their webs, how cats wash their faces, or, as here ('A Bird's Reason'), how robins and orioles build their nests. For further evidence of this happy faculty, see his letter printed below. Δ In 'The Fight on the Securities Act,' **Bernard Flexner** writes from the experience of three and a half decades at the bar, during which period he has been intimately familiar with the manifold requirements of corporation finance. But the test of the Securities Act will be a very practical one, and a good many people are asking themselves, 'Will it help our business morals if in our serious plight it hurts our business interests?'

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A challenge to cats.

Dear Atlantic, —

Referring to Mr. Charles D. Stewart's letter in the Contributors' Column of your December issue, I wish to take exception to his flat and unqualified statement regarding the household

cat that, 'except in the monkey or ape tribe, no animal uses its front paws so much for purposes of manipulation — so much in the way of hands.'

To demonstrate my point, I offer as an example the raccoon, one of our most prehensile and intelligent animals. He is much cleverer with his paws than is the cat, and he is quite capable of picking up and handling any small object. Many woodsmen are familiar with the beaver and the uses to which he puts his front feet when building dams, houses, caves, and canals. The little muskrat shakes an able front paw, and builds quite marvelous houses of wood, grasses, moss, and mud. That famous collector of gems, shells, and collar buttons, the pack rat, builds complicated storehouses largely with the aid of his front paws. Squirrels revolve bits of food between their paws at almost incredible speed, and they can ascend or descend a tree head or tail foremost. A cat, once up a tree, often needs the fire department to help him down.

Neither is it my observation that keepers of cats are a more 'refined and discriminating class of people' than keepers of other animals.

Lest my remarks be regarded as prejudiced, allow me to say that I do like cats. During my lifetime I have owned eleven 'steady' cats and about ten times that many kittens. On the other hand, I have spent many years in tall timber and in close contact with the animals mentioned above.

ROBERT HALL VALENTINE
Philadelphia, Pennsylvania

A defense of cats.

Dear Atlantic, —

The raccoon, with his neat wrist and kid-gloved manner of handling things, is seen at his best when he is washing his food at the edge of a pond or stream. He laves a piece of lettuce back and forth and cleans whatever he gets with the utmost particularity. He knows how to open a shellfish or get at the inside of a crab. Otherwise he is a bear, and has the bear's skill in climbing.

Particular instances of dexterity may be quoted with regard to particular animals; the squirrel can twirl a nut, the bear can drink out of a bottle. In fact, the horse has a certain skill in his club-footed way. I have been surprised, after having my horse newly shod, to see him delicately scratch behind his ear with the new chunk of iron on one of his hind feet. But this is dexterity, not manipulation. It is the manipulative power of a cat that I spoke of, and a certain mechanical instinct.

You never saw a bear or a fox use one finger at a time. A cat will. When you are passing a cat lying on a chair and he wishes to detain you, he is likely to throw his paw out and hook you with just the claw on his forefinger. Or the same cat, resting, may lazily throw his paw up in the air

Fight Pneumonia—

It ravages with the speed of a forest fire



PNEUMONIA causes the death of approximately 100,000 people in this country every year. Many of these deaths result because the speed with which it attacks the patient is not matched by promptness of defense.

In rare instances, a person apparently in the best of health is stricken with pneumonia. But usually the disease is contracted by one whose vitality has been lowered by exhaustion or exposure, or who has been dragging himself around for several days through sheer will power or stubbornness, while suffering from a protracted cold.

During the critical stages of an attack of pneumonia the patient's chance of recovery often depends largely upon well-trained, faithful nursing.



There is a serum which is of great assistance in some types of pneumonia. It has helped to save many lives. If your doctor advises its use, have it administered at the earliest possible moment. Time is vital. A fire may be quenched when small, but becomes uncontrollable as a conflagration.

While victory over some diseases can be achieved only by months and sometimes years of patient resistance, the battle against pneumonia is usually won or lost in a comparatively short space of time—sometimes it is a matter of days or merely hours. Meet the speed of pneumonia's attack with greater speed in defense.

The Metropolitan will gladly mail, free, its booklet "Just a Cold? Or"—Address Booklet Dept. 234-T.

METROPOLITAN LIFE INSURANCE COMPANY
 FREDERICK H. ECKER, PRESIDENT ONE MADISON AVE., NEW YORK, N. Y.

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and hook that forefinger in the openings of a wicker chair. It is a very selective use of that one finger of his.

If you are approaching a door with a cat in your arms, the cat will almost always stretch forth his arm in readiness to push the door open before you have reached it. He is full of self-help, and does not simply depend upon you. Moreover, a cat knows what a knob is for, and will stand up and try to work it. I had a cat that would push a door open from one side and pull it from the other if there was a slight opening to get his paw through.

On a farm here in Wisconsin we have a cat that was raised on milk from a bottle. It was a large, heavy bottle with a nipple. As the cat grew older it learned how to help itself. It would roll over on its back and support the bottle on all fours, the hind legs raising it to the right angle to let the milk flow while the front paws supported the bottle and handled it at the mouth. I am sending the editor of the *Atlantic* a photograph of the cat doing this; and, while he cannot print it, he will see that it is no mere animal story.¹ Can you even imagine a fox or a dog doing that? This is what I mean by manipulative power.

As for comparing the fox and the muskrat with the cat — the fox is all feet, and the muskrat, carrying sticks in his mouth to make a house, is accomplishing no more than does a bird with its bill.

The cat's claws are retractable, and that is a part of the manipulative equipment. Imagine a steel disk rotating on its centre, and out of this cut away enough metal to make it like one big tooth of a saw still rotating on its centre. That is the claw of a cat; and it shields itself by rotating back into a little horny case. The claw of the fox or the bear or even the talons of the eagle are not retractile. Their claws are merely hung on them; they must always be on the outside. It is these sharp instruments, carried in a case, that the cat is so careful not to scratch you with if he has learned to like you; or to let out just a trifle if he wishes to correct you. And this fine instrumentation is a part of his manipulative ability. Altogether, much may be said for the cat; but I might also explain that the reason I mentioned this animal in particular was that all readers have access to the cat as a source of observation.

Feed a cat something soft, such as mashed potatoes with a little grease or gravy in them. Since he is not fitted to eat such food, he will manage to do it by pushing the potato into his mouth with his paw. He will use that paw just as a child uses its hands to push in the food that threatens to fall out. Or go to bed in a very dark room in which there is a cat that likes you. I had a cat that would take a notion to sleep by my head. Since a cat cannot see in total darkness, he would get the position of my head by feeling.

¹ Seeing is believing. — EDITOR

His paw would fall delicately on different parts — the nose, the forehead, the cheek — and when he had it all surveyed he would carefully lie down. He would not use those 'feelers' of his, nor his nose, as a dog or other animal would; he would use his hands.

My space is limited; but I hope I have shown that a cat has manipulative powers that are worth mentioning above any animal except the monkey or ape.

I do not suppose anyone ever yet came out in print and said a good word for a cat that he did not encounter criticism. On the other hand, any tribute to a dog, such as Senator Vest's hifalutin verbiage, will be meekly swallowed and acceded to by lovers of the cat. Mr. Valentine, however, declares himself to be a lover of cats; he keeps them about the place. That is good; but what about a cat going up a tree and not having the ability or sense to come down? Is not this intended to be a slam at the cat? What has it to do with this subject under consideration, and why is it brought in?

Mr. Valentine quotes me as saying that cat lovers are 'more' refined than other people. I said that lovers of cats are 'a most refined and discriminating class of people.' I did not even intimate that they are *the* most refined and discriminating of persons.

However, I will say it now. The artist loves the cat because it is the most graceful and lithe and light-moving of animals. The scholar loves the cat because it is quiet and sensible and a good companion. Women love cats because they are sweet-scented and clean. The cat has no oil in its fur, so it does not gather dirt or harbor ill odors. It never rolls in filth as does a dog. It is always cleaning up, for which purpose its tongue is roughened for a comb. Even the smallest kitten has the instinct of good housekeeping. During the Middle Ages, when cats were new arrivals in Europe, the little lion-like animal was cherished and propagated by the nuns in Catholic convents. It was an animal that appealed to them because of its beauty and refinement.

To be a dog owner does not necessarily mean anything. There are the Bill Sikeses among dog owners. There are dog beaters as well as wife beaters. A mean man always has a mean dog, and often a cowardly one. To be an animal lover, however, is a different thing. I suppose the reason the cat has no defenders is because cats are so often the property of mild and gentle owners.

I, however, am just a man student and lover of the cat — and I have one that can whip any dog. Being a reader of Shakespeare, I take pleasure in his mention of the 'harmless necessary cat' and of the dog that 'may stand by the fire and stink.'

CHARLES D. STEWART
Hartford, Wisconsin